

HOUSE JOURNAL

SEVENTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SEVENTY-THIRD DAY — WEDNESDAY, MAY 14, 1997

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 408).

Present — Mr. Speaker; Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Absent, Excused — Junell; Oliveira; Serna.

The invocation was offered by Father Nolasco Hinojosa, Parochial Vicar Blessed Sacrament Church, Laredo, as follows:

Almighty and eternal God, you have revealed your glory to all nations. God of power and might, wisdom and justice, through you authority is rightly administered, laws are enacted, and judgment is decreed.

Assist with your spirit of counsel and fortitude the representatives of the State of Texas, that this session may be conducted in righteousness, and be eminently useful to your people over whom they represent. May they encourage due respect for virtue and religion.

Let the light of your divine wisdom direct the deliberations of the representatives of the State of Texas, and shine forth in all the proceedings and laws framed for our rule and government. May they seek to preserve peace, promote state happiness, and continue to bring us the blessings of liberty and equality.

We likewise commend to your unbounded mercy all citizens of the State of Texas, that we may be blessed in the knowledge and sanctified in the observance of your holy law. May we be preserved in union and that peace

which the world cannot give; and after enjoying the blessing of this life, be admitted to those which are eternal.

We pray to you, who are Lord and God, for ever and ever. Amen.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for today because of illness:

Oliveira on motion of Telford.

The following member was granted leave of absence for today because of illness in the family:

Serna on motion of Telford.

The following member was granted leave of absence temporarily for today to attend a meeting with Senator Ratliff on **HB 1**:

Junell on motion of Telford.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 55, Senate List No. 25).

CAPITOL PHYSICIAN

The speaker recognized Representative Holzheuser who presented Dr. David H. Watson of Yoakum as the "Doctor for the Day."

The house welcomed Dr. Watson and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

HCR 237 - ADOPTED (by Rangel)

Representative Rangel moved to suspend all necessary rules to take up and consider at this time **HCR 237**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HCR 237, Honoring Commissioner Kenneth H. Ashworth of the Texas Higher Education Coordinating Board on the occasion of his retirement.

The speaker recognized Representative Rangel to read the resolution.

HCR 237 was read and was adopted without objection.

On motion of Representative Uher, the names of all the members of the house were added to **HCR 237** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative Rangel, who introduced Commissioner Dr. Kenneth H. Ashworth and other members of the Texas Higher Education Coordinating Board.

Commissioner Ashworth addressed the house briefly.

HCR 239 - ADOPTED
(by Hunter, B. Turner, Counts, Hinojosa, and Price)

Representative Hunter moved to suspend all necessary rules to take up and consider at this time **HCR 239**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HCR 239, Honoring Brigadier General Bertus Leroy Sisco of the Texas State Guard.

HCR 239 was adopted without objection.

BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES
RESOLUTIONS REFERRED TO COMMITTEES

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

HCR 259 - ADOPTED
(by Galloway)

Representative Galloway moved to suspend all necessary rules to take up and consider at this time **HCR 259**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HCR 259, Congratulating Dr. John L. Rumley on being named 1997 Dentist of the Year by the Dallas County Dental Society.

HCR 259 was adopted without objection.

SB 606 - REQUEST OF SENATE GRANTED
CONFERENCE COMMITTEE APPOINTED

On motion of Representative Solis, the house granted the request of the senate for the appointment of a conference committee on **SB 606**.

The speaker announced the appointment of the following conference committee, on the part of the house, on **SB 606**: Hinojosa, chair, Rangel, Kamel, Gutierrez, and Rabuck.

HB 463 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS

Representative Zbranek called up with senate amendments for consideration at this time,

HB 463, A bill to be entitled An Act relating to the hotel occupancy tax revenue of certain counties that border the Gulf of Mexico.

On motion of Representative Zbranek, the house concurred in the senate amendments to **HB 463** by (Record 409): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Galloway; Garcia; Giddings; Glaze; Goodman; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Olivo; Palmer; Patterson; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Junell; Oliviera; Serna.

Absent — Alvarado; Dukes; Gallego; Goolsby; Madden; Oakley; Pickett.

STATEMENT OF VOTE

When Record No. 409 was taken, I was in the house but away from my desk. I would have voted yes.

Gallego

Senate Amendment No. 1

Amend **CSHB 463** as follows:

(1) Amend Section 352.1033(a)(5), Tax Code (page 1, lines 25-27), to read as follows:

(5) create, renovate, promote, and maintain parks adjacent to bays, rivers, and other navigable waterways if the county does not operate a public beach on the Gulf of Mexico; and

(2) Strike Subsection (c), Section 352.1033, Tax Code (page 1, lines 37-41).

HB 606 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Zbranek called up with senate amendments for consideration at this time,

HB 606, A bill to be entitled An Act relating to access to nursing facilities in rural counties.

On motion of Representative Zbranek, the house concurred in the senate amendments to **HB 606** by (Record 410): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Junell; Oliveira; Serna.

Absent — Coleman; Goolsby.

Senate Amendment No. 1 - (Senate Committee Amendment No. 1)

Amend **HB 606** on page 2, line 12 by amending subsection(d) to read as follows:

(d) The department may not contract under this section for more than 120 additional nursing home beds per county per year and may not exceed more than 500 additional nursing home beds statewide in a calendar year.

HB 870 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Gutierrez called up with senate amendments for consideration at this time,

HB 870, A bill to be entitled An Act relating to the authority of certain federal agents to enforce state law relating to public intoxication and driving while intoxicated.

On motion of Representative Gutierrez, the house concurred in the senate amendments to **HB 870** by (Record 411): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson;

Janek; Jones, D.; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgenuth; Wolens; Woolley; Yarbrough.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Junell; Oliveira; Serna.

Absent — Coleman; Hochberg; Oakley; Telford; Zbranek.

Senate Committee Substitute

CSHB 870, A bill to be entitled An Act relating to the authority of certain federal agents to enforce state law relating to public intoxication and driving while intoxicated.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 2.122, Code of Criminal Procedure, is amended by adding Subsection (c) to read as follows:

(c) A customs inspector of the United States Customs Service or a border patrolman or immigration officer of the United States Department of Justice is not a peace officer under the laws of this state but, on the premises of a port facility designated by the commissioner of the United States Immigration and Naturalization Service as a port of entry for arrival in the United States by land transportation from the United Mexican States into the State of Texas, has the authority to detain a person pending transfer without unnecessary delay to a peace officer if the inspector, patrolman, or officer has probable cause to believe that the person has engaged in conduct that is a violation of Section 49.02, 49.04, 49.07, or 49.08, Penal Code, regardless of whether the violation may be disposed of in a criminal proceeding or a juvenile justice proceeding.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

HB 963 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Walker called up with senate amendments for consideration at this time,

HB 963, A bill to be entitled An Act relating to the attachment and amount of certain agricultural liens.

On motion of Representative Walker, the house concurred in the senate amendments to **HB 963**.

Senate Amendment No. 1 (Senate Committee Amendment No.1)

Amend **HB 963** as follows:

On page 1, line 11 of the bill, insert ", labor, or both," between the words "chemicals" and "are".

**HB 1228 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

Representative Jackson called up with senate amendments for consideration at this time,

HB 1228, A bill to be entitled An Act relating to consolidated permit processing by the Texas Natural Resource Conservation Commission.

Representative Jackson moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 1228**.

The motion prevailed without objection.

The speaker announced the appointment of the following conference committee, on the part of the house, on **HB 1228**: Jackson, chair, Howard, Dukes, Kuempel, and Puente.

(D. Jones in the chair)

**HB 1387 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Gray called up with senate amendments for consideration at this time,

HB 1387, A bill to be entitled An Act relating to the continuation and functions of the Automobile Theft Prevention Authority.

On motion of Representative Gray, the house concurred in the senate amendments to **HB 1387**.

Senate Amendment No. 1 (Senate Committee Amendment No. 1)

Amend **HB 1387** in SECTION 4 of the bill, amended Section 5, Article 4413(37), Revised Statutes, by striking proposed Subsections (c) and (d) (page 4, line 16, through page 5, line 14, engrossed version) and substituting the following:

(c) To be eligible to take office as a member of the authority, a person appointed to the authority must complete at least one course of a training program that complies with Subsection (d).

(d) The training program required by Subsection (c) must provide information to the person regarding:

(1) the enabling legislation that created the authority and its policymaking body to which the member is appointed to serve;

(2) the programs operated by the authority;

(3) the role and functions of the authority;

- (4) the rules of the authority and the department;
- (5) the current budget for the authority;
- (6) the results of the most recent formal audit of the authority;
- (7) the requirements of the:
 - (A) open meetings law, Chapter 551, Government Code;
 - (B) open records law, Chapter 552, Government Code; and
 - (C) administrative procedure law, Chapter 2001, Government

Code;

(8) the requirements of the conflict-of-interest laws and other laws relating to public officials; and

(9) any applicable ethics policies adopted by the department or the Texas Ethics Commission.

(e) A person appointed to the authority is entitled to reimbursement for travel expenses incurred in attending the training program required by Subsection (c) as provided by the General Appropriations Act and as if the person were a member of the authority.

Senate Amendment No. 2 (Senate Committee Amendment No. 2)

Amend **HB 1387** as follows:

Strike SECTION 7 of the bill and renumber the subsequent SECTIONS appropriately (House Engrossment page 6, line 26 through page 7, line 4).

HB 1406 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Bosse called up with senate amendments for consideration at this time,

HB 1406, A bill to be entitled An Act relating to collection by water and sewer utilities of voluntary contributions on behalf of certain emergency services.

On motion of Representative Bosse, the house concurred in the senate amendments to **HB 1406** by (Record 412): 138 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Jackson; Janek; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte;

Walker; West; Williams; Williamson; Wilson; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker; Jones, D.(C).

Absent, Excused — Junell; Oliveira; Serna.

Absent — Berlanga; Gallego; Galloway; Isett; Telford; Wise.

STATEMENT OF VOTE

When Record No. 412 was taken, I was in the house but away from my desk. I would have voted yes.

Gallego

Senate Amendment No. 1 (Senate Committee Amendment No. 1)

Amend **HB 1406** as follows:

SECTION 1: insert the following underlined language into section (e).

(e) . . . rates and are not subject to regulatory assessments, late payment penalties, or other utility-related fees and are not

(Junell now present)

INTRODUCTION OF GUEST

The chair recognized Representative Junell, who introduced Bishop Michael D. Pfeifer of the Diocese of San Angelo.

Bishop Pfeifer addressed the house briefly.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today to attend a meeting with Senator Ratliff on **HB 1**:

Junell on motion of Telford.

**HB 1487 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Cuellar called up with senate amendments for consideration at this time,

HB 1487, A bill to be entitled An Act relating to the regulation of certain transportation service providers; providing penalties.

On motion of Representative Cuellar, the house concurred in the senate amendments to **HB 1487**.

Senate Amendment No. 1 (Senate Committee Amendment No. 1)

Amend **HB 1487** as follows:

(1) On page 2, line 15, before "customs", insert "licensed".

(2) On page 2, between lines 19 and 20, insert the following:

"(d) This Act does not apply to an ocean freight forwarder as defined by 46 U.S.C. Section 1702.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

HB 1826 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Goodman called up with senate amendments for consideration at this time,

HB 1826, A bill to be entitled An Act relating to the department of protective and Regulatory Services, the protection of children from abuse and neglect, and the conservatorship of children.

On motion of Representative Goodman, the house concurred in the senate amendments to **HB 1826**. (Hartnett and Heflin recorded voting no)

Senate Amendment No. 1 (Senate Committee Amendment No.1)

Amend **HB 1826** as follows:

(1) On page 4, line 14, insert the following new section and renumber the subsequent sections appropriately:

SECTION 6. Section 105.001, Family Code, is amended by amending Subsection (b) and adding Subsection (h) to read as follows:

(b) Except as provided by Subsection (c), temporary restraining orders and temporary injunctions under this section shall be granted without the necessity of an affidavit or verified pleading stating specific facts showing that immediate and irreparable injury, loss, or damage will result before notice can be served and a hearing can be held. Except as provided by Subsection (h), an [An] order may not be rendered under Subsection (a)(1), (2), or (5) except after notice and a hearing. A temporary restraining order granted under this section need not:

- (1) define the injury or state why it is irreparable; or
- (2) state why the order was granted without notice.

(h) An order under Subsection (a)(1) may be rendered without notice and an adversary hearing if the order is an emergency order sought by a governmental entity under Chapter 262.

(2) On page 6, lines 19-21, strike current language and substitute the following:

"(F) failed to support the child in accordance with the parent's [his] ability during a period of one year ending within six months of the date of the filing of the petition;"

(3) On page 9, strike lines 11-18 and substitute the following:

"(P) used a controlled substance, as defined by Chapter 481, Health and Safety Code:

(i) in a manner that endangered the health or safety of the child, and failed to complete a court-ordered substance abuse treatment program; or

(ii) repeatedly, after completion of a court-ordered substance treatment program, in a manner that endangered the health or safety of the child.

(5) On page 14, line 26, strike Subsection (e) and substitute the following new Subsection (e) to read as follows:

(e) An interview with a child, alleged to be a victim of physical abuse or sexual abuse shall be audiotaped or videotaped unless the investigating agency determines that good cause exists for not audiotaping or videotaping the interview in accordance with rules of the agency. Good cause may include, but is not limited to, such considerations as the age of the child and the nature and seriousness of the allegations under investigation. Nothing in this subsection shall be construed as prohibiting the investigating agency from audiotaping or videotaping an interview of a child on any case for which such audiotaping or videotaping is not required under this subsection.

(6) On page 20, line 26, strike Subsection (e) and substitute the following new Subsection (e) to read as follows:

(e) When citation by publication is needed for a parent or alleged or probable father in an action brought under this chapter because the location of the parent, alleged father or probable father is unknown, the court may render a temporary order without delay at any time after the filing of the action without regard to whether notice of the citation by publication has been published.

(7) On page 24, lines 15-16, strike "[initiated a suit and has] and substitute "initiated a suit and has"

Senate Amendment No. 2 (Senate Committee Amendment No. 2)

Amend **HB 1826** as follows:

- (1) On page 3, lines 1-25, strike Section 4.
- (2) On page 17, lines 20-27 and page 18, lines 1-8, strike Section 19
- (3) On page 21, lines 3-27 and page 22, lines 1-7, strike Section 23

Senate Amendment No. 3 (Senate Committee Amendment No. 3)

Amend **HB 1826** as follows:

SECTION 2. Section 261.107, Family Code, is amended to read as follows:

Sec. 261.107. FALSE REPORT; PENALTY. (a) A person commits an offense if the person knowingly or intentionally makes a report as provided in this chapter that the person knows is false or lacks factual foundation. An offense under this section is a Class A misdemeanor. The first offense under this section is a Class A misdemeanor; a subsequent offense under this section is a state jail felony.

(b) A report under this section, which was made prior to or during a suit affecting the parent-child relationship and in which is contained accusations that the court determines the accuser knew to be false or lacking factual foundation, may be grounds for the court to modify the parent-child relationship to restrict further access to the child by the accuser.

(c) The respective prosecuting attorney shall be responsible for the prosecution of offenses under this section.

Senate Amendment No. 4

Amend **HB 1826** by adding a new SECTION 37 and renumber the subsequent sections appropriately.

SECTION 37. Section 40.003, Human Resources Code, is amended to read as follows:

Sec. 40.003. SUNSET PROVISION. The Department of Protective and Regulatory Services is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department is abolished and this chapter expires September 1, 1999 [+1997].

Amend **HB 1826** by adding a new SECTION 41 and renumber the subsequent sections appropriately.

SECTION 41. The change in law made by this Act to Section 40.003, Human Resources Code, takes effect only if **SB 359**, Acts of the 75th Legislature Regular Session, 1997, does not become law. If that bill does not become law the change made by this Act to Section 40.003, Human Resources Code, takes effect September 1, 1997.

HB 2074 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Hightower called up with senate amendments for consideration at this time,

HB 2074, A bill to be entitled An Act relating to the continuation and functions of the Texas Youth Commission.

On motion of Representative Hightower, the house concurred in the senate amendments to **HB 2074**.

Senate Amendment No. 1 (Senate Committee Amendment No. 1)

Amend **HB 2074** as follows:

In SECTION 3 of the bill, strike added Section 61.0122, Human Resources Code (House Engrossment, page 3, lines 9-27, and page 4, lines 1-7), and substitute the following:

Sec. 61.0122. BOARD MEMBER TRAINING. (a) To be eligible to take office as a member of the board, a person appointed to the board must complete at least one course of a training program that complies with this section.

(b) The training program must provide information to the person regarding:

- (1) the enabling legislation that created the commission;
- (2) the programs operated by the commission;
- (3) the role and functions of the commission;
- (4) the rules of the commission with an emphasis on the rules that relate to disciplinary and investigatory authority;
- (5) the current budget for the commission;
- (6) the results of the most recent formal audit of the commission;
- (7) the requirements of the:
 - (A) open meetings law, Chapter 551, Government Code;
 - (B) open records law, Chapter 552, Government Code; and
 - (C) administrative procedure law, Chapter 2001, Government

Code;

(8) the requirements of the conflict of interests laws and other laws relating to public officials; and

(9) any applicable ethics policies adopted by the commission or the Texas Ethics Commission.

(c) A person appointed to the board is entitled to reimbursement for travel expenses incurred in attending the training program, as provided by the General Appropriations Act and as if the person were a member of the board.

**HB 2123 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Maxey called up with senate amendments for consideration at this time,

HB 2123, A bill to be entitled An Act relating to the prevention and detection of fraud in certain programs administered by the Texas Department of Human Services.

On motion of Representative Maxey, the house concurred in the senate amendments to **HB 2123** by (Record 413): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Hunter; Hupp; Isett; Jackson; Janek; Jones, J.; Kamel; Keel; Keffer; King; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Olivo; Palmer; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker; Jones, D.(C).

Absent, Excused — Junell; Oliveira; Serna.

Absent — Galloway; Howard; Krusee; Patterson.

Senate Amendment No. 1 (Senate Committee Amendment No. 1)

Amend **HB 2123** as follows:

On page 4, SECTION 4, lines 1-3, delete new subsection (c).

**HB 2126 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Maxey called up with senate amendments for consideration at this time,

HB 2126, A bill to be entitled An Act relating to requiring the Department of Human Services to conduct evaluations to improve its programs.

On motion of Representative Maxey, the house concurred in the senate amendments to **HB 2126**. (Heflin recorded voting no)

Senate Committee Substitute

CSHB 2126, A bill to be entitled An Act relating to requiring the Department of Human Services to conduct evaluations to improve its programs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 22, Human Resources Code, is amended by adding Section 22.0015 to read as follows:

Sec. 22.0015. EVALUATION AND IMPROVEMENT OF PROGRAMS. The department shall conduct research, analysis, and reporting of its programs to evaluate and improve the programs. The department may contract with one or more independent entities to assist the department with the research, analysis, and reporting required by this section.

SECTION 2. Not later than January 15, 1999, January 15, 2001, and January 15, 2003, the Texas Department of Human Services shall report to the governor, the lieutenant governor, and speaker of the house of representatives regarding the department's success in evaluating and improving its programs, as required by Section 22.0015, Human Resources Code, as added by this Act. The department shall notify members of the legislature and the standing committees of the senate and house of representatives having primary jurisdiction over the department of the filing of each report. Each report must:

(1) for each evaluation contract entered into under Section 22.0015, Human Resources Code, during the period covered by the report, identify:

(A) the beginning and ending dates, the authorized amount, and the purpose of the contract; and

(B) the identity of the contractor; and

(2) indicate the titles of major evaluation reports completed by the department and its contractors during the period covered by the report, including reports concerning state and federal welfare reform.

SECTION 3. This Act takes effect September 1, 1997.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

**HB 2348 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Seaman called up with senate amendments for consideration at this time,

HB 2348, A bill to be entitled An Act relating to the operation of the Jackson County Hospital District.

On motion of Representative Seaman, the house concurred in the senate amendments to **HB 2348**.

Senate Committee Substitute

CSHB 2348, A bill to be entitled An Act relating to the operation of the Jackson County Hospital District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 4(e), Chapter 275, Acts of the 66th Legislature, Regular Session, 1979, is amended to read as follows:

(e) Except in the case of runoff elections, the board shall publish notice of each election of directors in a newspaper or newspapers that individually or collectively provide general circulation in the district one time at least 30 days before the date of the election. A candidate for director shall file with the secretary of the board of directors at least 45 [~~35~~] days before the election a request to have his or her name printed on the ballot for the position for which he or she desires to be a candidate. The board shall canvass the returns and declare the results. A vacancy in office shall be filled for the unexpired term by appointment by the remainder of the board of directors.

SECTION 2. Chapter 275, Acts of the 66th Legislature, Regular Session, 1979, is amended by amending Sections 5 and 9 and by adding Sections 4A, 4B, and 8A to read as follows:

Sec. 4A. TERMS. (a) Notwithstanding Section 4 of this Act, the board, on its own motion, may order that the members of the board serve staggered three-year or four-year terms.

(b) If the board orders staggered three-year terms, the members of the board are to be elected as follows:

(1) if the first election that occurs at least 120 days after the date on which an order under Subsection (a) of this section is entered is an election in an even-numbered year:

(A) the four directors elected at that first even-numbered year election shall draw lots to determine the three directors that serve three-year terms and the director that serves a two-year term;

(B) the at-large director elected at the first odd-numbered year election after the order to change the terms shall serve a three-year term; and

(C) the four other directors elected at the first odd-numbered year election after the order to change the terms shall draw lots to determine which two directors serve three-year terms and which two directors serve one-year terms;

(2) if the first election that occurs at least 120 days after the date on which an order under Subsection (a) of this section is entered is an election in an odd-numbered year:

(A) the at-large director elected at that first odd-numbered year election serves a three-year term;

(B) the four other directors elected at that first odd-numbered year election shall draw lots to determine the two directors that serve three-year terms and the two directors that serve two-year terms; and

(C) the four directors elected at the first even-numbered year election after the order to change the terms shall draw lots to determine which three directors serve three-year terms and which director serves a one-year term.

(c) If the board orders four-year terms, the members of the board are to be elected in accordance with Section 285.081, Health and Safety Code.

(d) After an initial change under this section from staggered two-year terms, the board may not change the terms again.

Sec. 4B. ELECTIONS. (a) In a general or special election of directors, a write-in vote may not be counted unless the name written in appears on the list of write-in candidates.

(b) To be entitled to a place on the list of write-in candidates, a candidate must make a declaration of write-in candidacy.

(c) A declaration of write-in candidacy must be filed with the secretary of the board of directors not later than 5 p.m. of the 45th day before election day. However, if a candidate whose name is to appear on the ballot dies or is declared ineligible after the 48th day before election day, a declaration of write-in candidacy for the office sought by the deceased or ineligible candidate may be filed not later than 5 p.m. of the 42nd day before election day.

(d) Subchapter B, Chapter 146, Election Code, applies to write-in voting in an election of directors except to the extent of a conflict with this section.

(e) Subchapter C, Chapter 2, Election Code, applies to the election of unopposed candidates for the board of directors.

Sec. 5. POWERS AND DUTIES. The board shall manage, control, and administer the hospital system and all funds and resources of the district, but in no event shall any operating, depreciation, or building reserves be invested in any funds or securities other than those specified in Article 836 or 837, Revised Civil Statutes of Texas, 1925, as amended. The district through its board may sue and be sued and may promulgate rules governing the operation of the hospital, the hospital system, its staff, and its employees. The board may appoint a qualified administrator or assistant administrator for each hospital of the district and an attorney may be appointed for the district. The administrators, the attorney, and the assistant administrators, if any, shall serve at the will of the board and shall receive the compensation determined by the board. An administrator shall, on assuming his or her duties, execute a bond payable to the hospital district in an amount to be set by the board, in no event less than \$5,000, conditioned that he or she shall perform the duties required of him or her, and containing such other conditions as the board may require. The expense of the bond may be paid from funds of the district. The administrator shall supervise all the work and activities of his or her hospital and shall have general direction of the affairs of his or her hospital, subject to the limitations as may be prescribed by the board. The board may appoint to the staff doctors it may deem necessary for the efficient operation of the district and may provide for temporary appointments to the staff if warranted by circumstances. The board may delegate to an administrator the authority to employ doctors, technicians, nurses, and employees of the district or of his or her hospital. The board may contract with other political subdivisions or governmental agencies whereby the district will provide investigatory or other services as to facilities for the medical care, hospital, or welfare needs of the inhabitants of the district and may contract with any county or incorporated municipality located outside its boundaries for reimbursement for the care and treatment of the sick, deceased, or injured persons of that county or municipality. The district may also contract with the state or agencies of the

federal government for the reimbursement for the treatment of sick, diseased, or injured persons. The district may provide health care services outside the geographic boundaries of the district provided that the services serve the purposes of the district.

Sec. 8A. INDEBTEDNESS. The district may incur indebtedness or borrow money on the credit of the district or secured by any source of revenue, including district taxes to be levied by the district in the next 12-month period, that is not pledged to pay the principal or interest on district bonds. The district may incur indebtedness or borrow money in any amount, at an annual rate of interest that does not exceed the maximum annual percentage rate allowed by law for district obligations at the time the loan is made, and on other terms and conditions the district considers advisable.

Sec. 9. DISTRICT PROPERTY. (a) The district may sell or otherwise dispose of any real or personal property or equipment of any nature on terms and conditions found by the board to be in the best interests of its inhabitants, except that the board may not sell or close a hospital transferred to the district by Jackson County or the Edna Hospital District unless the sale or closing of the hospital is approved by a two-thirds majority of the qualified electors of the district voting at an election called and held for that purpose. The board may not call an election on the question of the sale or closing of one of those hospitals without the concurrence of seven directors and may not call an election for that purpose within 12 months of a preceding election for that purpose.

(b) The board may prescribe the method and manner of making purchases and expenditures by and for the hospital district and may prescribe all accounting and control procedures. Contracts for construction involving the expenditure of more than \$10,000 may be made only after advertising in the manner provided by Subchapter B, Chapter 271, Local Government Code [463; General Laws, Acts of the 42nd Legislature, Regular Session, 1931, as amended (Article 2368a, Vernon's Texas Civil Statutes)]. The provisions of Chapter 2253, Government Code [Article 5160, Revised Civil Statutes of Texas, 1925, as amended], relating to performance and payment bonds shall apply to construction contracts let by the district. The district may acquire equipment for use in its hospital system and mortgage or pledge the property acquired as security for the payment of the purchase price. Except as permitted in the preceding sentence and Sections 7, ~~and~~ 8, and 8A of this Act, the district may incur no obligation payable from revenues of the district, tax or otherwise, except those on hand or to be on hand within the then current and following fiscal years of the district.

(c) Subject to Chapter 104, Health and Safety Code [the Texas Health Planning and Development Act, as amended (Article 4418h, Vernon's Texas Civil Statutes)], after providing for the interest and sinking funds requirement of the bonded indebtedness created by the Edna Hospital District and assumed by the Jackson County Hospital District and further providing for any tax revenue that may be required to support operations expense, together with annual maintenance requirements for each facility, the board shall allocate to the hospital transferred to the district by Jackson County an amount not to exceed the next \$150,000 of tax income available for repairs and improvements

required to maintain operations during each of the three years following creation of the district. A similar additional allocation may be made for the hospital located in Edna in the event the board determines that need therefor exists.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

**HB 3456 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Chisum called up with senate amendments for consideration at this time,

HB 3456, A bill to be entitled An Act relating to the Hansford County Hospital District.

On motion of Representative Chisum, the house concurred in the senate amendments to **HB 3456**.

Senate Committee Substitute

CSHB 3456, A bill to be entitled An Act relating to the Hansford County Hospital District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 4(b) and (c), Chapter 872, Acts of the 62nd Legislature, Regular Session, 1971, are amended to read as follows:

(b) After the district has been established (as the result of the election for which provision is made in Section 3) and the initial directors have been duly appointed and have qualified, the method for thereafter selecting directors may be changed by following the provisions of this subsection. A petition asking that directors of the district thereafter be elected may be presented to the Commissioners Court of Hansford County. If such petition is executed by at least 250 qualified electors of the district who own taxable property therein which has been duly rendered for taxation on the tax rolls of the district as of the date of the presentation to the court of such petition, it shall be the duty of the Commissioners Court of Hansford County to order an election on the question of whether the directors of the district shall thereafter be elected. Such election shall be called within 90 days after the presentation of a proper petition and notice thereof, given as provided in Article 704, Revised [Civil Statutes [of Texas, 1925, as amended], and such election shall be conducted in accordance with the general laws of Texas pertaining to general elections, except as modified by the provisions of this Act. The order calling the election shall specify the date, place or places of holding the election, the presiding judge and alternate judge for each voting place, and shall provide for clerks as in a county election. The ballots shall be prepared to allow voting for or against the proposition: "Providing the office of director of the Hansford County Hospital District shall hereafter be an elective office." If a majority of the voters participating in the election shall vote in favor of such proposition, each director then in office shall continue to serve the term for which appointed, but successors in office shall be elected for terms of two years. No more than

one such election for the purpose of voting on the aforesaid proposition shall be held within any three-year period.

If such proposition is sustained by a majority vote, a regular election for directors shall be held on the first Saturday in May [~~April~~] of each year and shall be ordered by the board. Such order shall state the time, place, and purpose of the election, and the board shall appoint the presiding judge, who shall appoint an assistant judge and such clerks as may be required, and such election shall be ordered at least 15 days prior to the date on which it is to be held. Any person desiring his name to be printed on the ballot as a candidate for director shall file a petition signed by not less than 50 qualified voters, asking that such name be printed on the ballot, with the secretary of the board of directors of the district. Such petition shall be filed with the secretary at least 25 days prior to the date of the election. Notice of such election shall be published one time in a newspaper of general circulation in the area of the district at least five days before the election. The term of office of each elected director shall be two years. All vacancies in the office of director shall thereafter be filled by a majority vote of the remaining directors, and such appointees shall hold office for the unexpired term for which they were appointed.

(c) No person shall serve as a member of the board of directors unless the person [~~he~~] is a resident of the district [~~, a freeholder,~~] and a qualified voter. Neither the administrator nor employee of the district shall be eligible to serve as a director. Each member of the board of directors shall execute the constitutional oath of office.

(d) Subchapter C, Chapter 2, Election Code, applies to the election of unopposed candidates for the board of directors.

SECTION 2. Chapter 872, Acts of the 62nd Legislature, Regular Session, 1971, is amended by adding Section 4A to read as follows:

Sec. 4A. (a) In a general or special election of directors, a write-in vote may not be counted unless the name written in appears on the list of write-in candidates.

(b) To be entitled to a place on the list of write-in candidates, a candidate must make a declaration of write-in candidacy.

(c) A declaration of write-in candidacy must be filed with the secretary of the board of directors not later than 5 p.m. of the 20th day before election day. However, if a candidate whose name is to appear on the ballot dies or is declared ineligible after the 23rd day before election day, a declaration of write-in candidacy for the office sought by the deceased or ineligible candidate may be filed not later than 5 p.m. of the 18th day before election day.

(d) Subchapter B, Chapter 146, Election Code, applies to write-in voting in an election of directors except to the extent of a conflict with this section.

SECTION 3. Section 5, Chapter 872, Acts of the 62nd Legislature, Regular Session, 1971, is amended to read as follows:

Sec. 5. (a) The board of directors shall manage, control, and administer the hospital system and all funds and resources of the district, but in no event shall any operating, depreciation, or building funds [~~fund reserves~~] be invested in any funds or securities other than those specified in Articles 836 and 837, Revised [~~Civil~~] Statutes, or Chapter 2256, Government Code [~~of Texas, 1925, as~~

amended]. The board is given full authority to establish rules and regulations relating to seniority of employees of the district, including a retirement plan based thereon, and may give effect to previous years of service for those employees who have been continuously employed in the operation or management of the hospital or ancillary health care facilities acquired, including those acquired upon the creation thereof by reason of Section 2 of this Act, or constructed by the district. The district, through its board of directors, shall have the power and authority to sue and be sued, and shall be entitled to all causes of action and defenses enjoyed by similar authorities who perform only governmental functions, to promulgate rules and regulations governing the operation of the hospital, ancillary health care facilities, hospital system, and ancillary health care system, and the duties, functions, and responsibilities of the [its] staff, [and its] employees, contractors, or agents of the district. The board of directors shall appoint [a] qualified persons [person] to be known as the administrators [administrator] or managers [manager] of the hospital district or of the ancillary health care facilities and may in its discretion appoint assistants [an assistant] to the administrators [administrator] or managers [manager]. Such administrators [administrator] or managers [manager] and assistant administrators [administrator] or managers [manager], if any, shall serve at the will of the board and shall receive such compensation as may be fixed by the board. The district administrator or manager shall, upon assuming his duties, execute a bond payable to the hospital district in an amount to be set by the board of directors, in no event less than \$5,000, conditioned that he shall perform the duties required of him, and containing such other conditions as the board may require. The district administrator or manager shall supervise all the work and activities of the district and shall have general direction of the affairs of the district, including overall management responsibility for the ancillary health care facilities, subject to the limitations as may be prescribed by the board. The board of directors shall have the authority to appoint to the staff such doctors and allied health personnel as it may be deemed necessary for the efficient operation of the district, and may provide for temporary appointments to the staff if warranted by circumstances. The board may delegate to the district administrator or manager the authority to employ technicians, nurses, and employees of the district. Such board shall be authorized to contract with any other political subdivision or governmental agency whereby the district will provide investigatory or other services as to the hospital, ancillary health care, or welfare needs of the inhabitants of the district and shall be authorized to provide health care services [contract with any county or incorporated municipality located] outside its boundaries for the care and treatment of the sick, diseased, or injured persons of any jurisdiction [such county or municipality], and shall have the authority to contract with the State of Texas, another state, or a political subdivision of this or another state, or agencies of the federal government for the treatment of sick, diseased, or injured persons.

(b) The board of directors may defend or indemnify an officer, director, board appointee, medical staff member, or district employee against or for liability, claims, or expenses that arise from the performance of a duty in the person's respective capacity as an officer, director, board appointee, medical

staff member, or employee of the district, including the performance of a duty at a district facility. The board of directors may purchase and maintain liability insurance coverage or establish a self-insurance program to fund indemnification under this section.

SECTION 4. Section 6, Chapter 872, Acts of the 62nd Legislature, Regular Session, 1971, is amended to read as follows:

Sec. 6. The district shall be operated on the basis of a fiscal year as established from time to time by the board of directors of the district, provided such fiscal year shall not be changed more often than once in any 24-month period. The board shall cause an independent audit to be made of the financial condition of the district, which, together with other records of the district, shall be open to inspection at the principal office of the district, such audit to be made covering such fiscal year, and the same shall be filed at the office of the district as soon as it is completed. The district administrator or manager shall prepare an annual budget for approval by the board of directors. The budget shall also contain a complete financial statement of the district showing all outstanding obligations of the district, the cash on hand to the credit of each and every fund of the district, the funds received from all sources during the previous year, the funds available from all sources during the ensuing year, with balances expected at year end of the year in which the budget is being prepared, and estimated revenues and balances available to cover the proposed budget and the estimated tax rate which will be required, and the proposed expenditures and disbursements and the estimated receipts and collections for the following fiscal year. A public hearing on the annual budget shall be held by the board of directors after notice of such hearing has been published one time at least 10 days before the date set therefor. Notice of the budget hearing shall be published in a newspaper or newspapers which individually or collectively provide general circulation in the hospital district. Any property taxpayer of the district shall have the right to be present and participate in said hearing within such rules of decorum and procedures as may be prescribed by the board. At the conclusion of the hearing, the budget, as proposed by the district administrator or manager, shall be acted upon by the board of directors. The board of directors shall have authority to make such changes in the budget as in their judgment the law warrants and the interest of the taxpayers demands. No expenditure may be made for any expense not included in the annual budget or an amendment thereto. The annual budget may be amended from time to time as the circumstances may require, but the annual budget, and all amendments thereto, shall be approved by the board of directors. As soon as practicable after the close of each fiscal year, the district administrator or manager shall prepare for the board a full sworn statement of all moneys belonging to the district and a full account of the disbursement of same.

SECTION 5. Section 7, Chapter 872, Acts of the 62nd Legislature, Regular Session, 1971, is amended to read as follows:

Sec. 7. The board of directors shall have the power and authority to issue and sell its bonds in the name and upon the faith and credit of such hospital district for the purchase, construction, acquisition, repair, or renovation of buildings and improvements and equipping the same for hospital and ancillary health care purposes, and for any or all of such purposes. At the time of the

issuance of any bonds by the district a tax shall be levied by the board sufficient to create an interest and sinking fund to pay the interest on and principal of said bonds as same mature, providing such tax together with any other taxes levied for said district shall not exceed the rate of tax voted under the provisions of Section 3 of this Act. Except as provided in Section 8, no bonds shall be issued by such hospital district until authorized by a majority of the electors of the district voting at an election called for such purpose. The order for bond election shall specify the date of the election, the amount of bonds to be authorized, the maximum maturity thereof, the maximum rate of interest they are to bear, the place or places where the election shall be held, the presiding judge and alternate judge for each voting place and provide for clerks as in county elections. Notice of any bond election shall be given as provided in Article 704, Revised [Civil] Statutes [~~of Texas, 1925, as amended~~], and shall be conducted in accordance with the general laws of Texas pertaining to general elections, except as modified by the provisions of this Act.

SECTION 6. Section 8(b), Chapter 872, Acts of the 62nd Legislature, Regular Session, 1971, is amended to read as follows:

(b) In addition to the power to issue bonds payable from taxes levied by the district, as contemplated by the preceding section, the board of directors is further authorized to issue and to refund any previously issued revenue bonds for purchasing, constructing, acquiring, repairing, equipping, or renovating buildings and improvements for hospital or ancillary health care purposes, and for acquiring sites therefor, such bonds to be payable from and secured by a pledge of all or any part of the revenues of the district to be derived from the operation of its hospital, [~~or~~] hospitals, or ancillary health care facilities, and such bonds may be additionally secured by a mortgage or deed of trust lien on any part or all of its properties. Such bonds shall be issued in the manner and in accordance with the procedures and requirements specified for the issuance of revenue bonds by county hospital authorities in Sections 264.042, 264.043, 264.046, 264.047, 264.048, and 264.049, Health and Safety Code [Sections 8, 10, 11, 12 and 13, Chapter 122, Acts of the 58th Legislature, 1963 (Article 4494r, Vernon's Texas Civil Statutes)].

SECTION 7. Chapter 872, Acts of the 62nd Legislature, Regular Session, 1971, is amended by adding Section 8A to read as follows:

Sec. 8A. The district may issue, sell, and deliver obligations of the district and execute corresponding credit agreements in the manner provided by Chapter 656, Acts of the 68th Legislature, Regular Session, 1983 (Article 717q, Vernon's Texas Civil Statutes), and the Bond Procedures Act of 1981 (Article 717k-6, Vernon's Texas Civil Statutes).

SECTION 8. Section 9, Chapter 872, Acts of the 62nd Legislature, Regular Session, 1971, is amended to read as follows:

Sec. 9. The board of directors is hereby given complete discretion as to the type of buildings, both as to number and location, either inside or outside the district, required to establish and maintain an adequate hospital system and ancillary health care services system. The hospital and ancillary health care services systems ~~[system]~~ may include facilities and equipment to provide for domiciliary care and treatment of the sick, wounded, and injured, [~~facilities for~~] outpatient [~~clinic or~~] clinics, dispensaries, [~~facilities for~~] geriatric domiciliary

care, convalescent home facilities, physicians' offices, home health services, durable medical equipment, long-term care, skilled nursing care, intermediate nursing care, hospice care, ambulatory surgery centers, urgent care facilities, rural health clinics, operation of a mobile emergency medical service, necessary nurses' domiciliaries and training centers, blood banks, and research centers or laboratories, and any other facilities or equipment deemed necessary for the provision of hospital and ancillary health care services [care] by the directors. The district, through its board of directors, is further authorized to enter into an operating or management contract with a public or private entity with regard to any part or all of its facilities, equipment, or services. The board ~~(or a part thereof, or)~~ may lease all or part of its buildings, ~~[and] facilities, or equipment~~ upon terms and conditions considered to be in [to] the best interest of its inhabitants, provided that in no event shall any lease be for a period in excess of 25 years from the date on which the lease is made [entered]. The district shall be empowered to sell, lease, or otherwise dispose of any real or personal property or equipment of any nature upon terms and conditions found by the board to be in the best interest of the district's [its] inhabitants, provided, however, that in no event shall the board be authorized to sell or dispose of any real property unless the board affirmatively finds that the sale, lease, or disposition of the property is in the best interests of the district's inhabitants [the same is not needed for the operation of the hospital system].

SECTION 9. Section 10, Chapter 872, Acts of the 62nd Legislature, Regular Session, 1971, is amended to read as follows:

Sec. 10. The board of directors of such district shall have the power to prescribe the method and manner of making purchases and expenditures by and for such hospital district, and shall also be authorized to prescribe all accounting and control procedures. All contracts for construction ~~[or purchases]~~ involving the expenditure of more than \$10,000 [\$2,000] may be made only after advertising in the manner provided by Chapter 252, Local Government Code, Section 286.078, Health and Safety Code, or Subchapter B, Chapter 271, Local Government Code [163, Acts of the 42nd Legislature, Regular Session, 1931, as amended (Article 2368a, Vernon's Texas Civil Statutes)]. The provisions of Chapter 2253, Government Code [Article 5160, Revised Civil Statutes of Texas, 1925, as amended], relating to performance and payment bonds, shall apply to construction contracts let by the district. The district may acquire by purchase, lease, or lease to purchase equipment for use in its hospital system and mortgage or pledge the property so acquired as security for the payment of the purchase or lease price, but any such contract shall provide for the entire obligation of the district to be retired within five years from the date of the contract. Except as permitted in the preceding sentence and as permitted by Sections 7, ~~[and] 8, 10A, and 15(d)~~ of this Act, the district may incur no obligation payable from any revenues of the district, taxes or otherwise, except those on hand or to be on hand within the then current and following fiscal year of the district.

SECTION 10. Chapter 872, Acts of the 62nd Legislature, Regular Session, 1971, is amended by adding Section 10A to read as follows:

Sec. 10A. (a) The board of directors may spend district funds, enter into agreements, and take other necessary action to recruit physicians, ancillary and

allied health professionals, and other persons to serve on the district's medical staff or for employment with the district, including:

(1) advertising and marketing;

(2) paying travel, recruitment, and relocation expenses;

(3) providing a loan or scholarship to a physician or other person enrolled in health care education courses at an institution of higher education who contractually agrees to become a district employee or medical staff member; and

(4) providing office space without the payment of rent for the space or subsidizing office space or other facilities for a health care professional, including a physician.

(b) The board of directors may spend district funds, enter into agreements, and take other necessary action to conduct, participate in, or otherwise assist in providing health care and professional educational, development, or retraining programs for medical staff members or employees of the district or prospective medical staff members or employees.

(c) The board of directors may spend district funds, enter into agreements, acquire by lease, purchase, or lease to purchase facilities, supplies, and equipment, and take any other action to provide day-care services for the medical staff members, allied health professionals, officers, directors, and employees of the district. As space permits, the district may also provide day-care services to residents of the district.

SECTION 11. Section 11, Chapter 872, Acts of the 62nd Legislature, Regular Session, 1971, is amended to read as follows:

Sec. 11. The board of directors of the district shall name one or more banks within, without (either or both), its boundaries to serve as a depository for the funds of the district. All funds of the district, except those invested as provided in Section 5 of this Act, and those transmitted to a bank or banks of payment for bonds or obligations issued or assumed by the district, shall be deposited as received with the depository bank and shall remain on deposit, provided that nothing herein shall limit the power of the board to place a portion of such funds on time deposit or purchase certificates of deposit or make other investments as authorized by Chapter 2256, Government Code.

SECTION 12. Section 14, Chapter 872, Acts of the 62nd Legislature, Regular Session, 1971, is amended to read as follows:

Sec. 14. The district shall have the right and power of eminent domain for the purpose of acquiring by condemnation any and all property of any kind and character in fee simple, or any lesser interest therein, within the boundaries of the district necessary to the powers, rights, and privileges conferred by this Act, in the manner provided by the general law with respect to condemnation by counties, provided that the district shall not be required to make deposits in the registry of the trial court of the sum required by Section 21.021, Property Code [Paragraph 2, Article 3268, Revised Civil Statutes of Texas, 1925, as amended], or to make bond as therein provided. In condemnation proceedings being prosecuted by the district, the district shall not be required to pay in advance or give bond or other security for costs in the trial court, nor to give any bond otherwise required for the issuance of a temporary restraining order or a temporary injunction nor to give bond for costs or for supersedeas on any appeal or writ of error.

SECTION 13. Section 15, Chapter 872, Acts of the 62nd Legislature, Regular Session, 1971, is amended to read as follows:

Sec. 15. (a) The directors shall have the authority to levy taxes for the entire year in which the district is established as the result of the election herein provided. ~~[All taxes of the district shall be assessed and collected on county tax values as provided in Subsection (b) of this section hereof unless the directors, by majority vote, elect to have taxes assessed and collected by its own tax assessor-collector under Subsection (c) of this section hereof. Any such election may be made prior to December 1 annually and shall govern the manner in which taxes are thereafter assessed and collected, until changed by a similar resolution.]~~ Hospital district tax shall be levied upon all taxable property within said district subject to hospital district taxation.

(b) The Tax Code governs the appraisal, assessment, and collection of district taxes ~~[Under this subsection, district taxes shall be assessed and collected on county tax values in the same manner as provided by law with relation to county taxes. The tax assessor-collector of the county in which said district is situated shall be charged and required to accomplish the assessment and collection of all taxes levied by and on behalf of the district. The assessor-collector of taxes shall charge and deduct from payments to the hospital district an amount as fees for assessing and collecting the taxes at a rate of not exceeding two percent of the amounts collected as may be determined by contract between the county and the district, but in no event shall the amount paid exceed \$7,500 in any one calendar year. Such fees shall be deposited in the officers' salary fund of the county and reported as fees of office of the county tax assessor-collector. Interest and penalties on taxes paid to the hospital district shall be the same as in the case of county taxes. Discounts shall be the same as allowed by the county. The residue of tax collections after deductions of discounts and fees for assessing and collecting shall be deposited in the district's depository. The bond of the county tax assessor-collector shall stand as security for the proper performance of his duties as assessor-collector of the district; or, if in the judgment of the district board of directors it is necessary, additional bond payable to the district may be required. In all matters pertaining to the assessment, collection, and enforcement of taxes for the district, the county tax assessor-collector shall be authorized to act in all respects according to the laws of the State of Texas relating to state and county taxes].~~

(c) The board may provide for the appointment of a tax assessor-collector for the district or may contract for the assessment and collection of taxes as provided by the Tax Code ~~[Under this subsection, taxes shall be assessed and collected by a tax assessor-collector appointed by the directors, who shall also fix the terms of his employment, compensation, and requirement for bond to assure the faithful performance of his duties, but in no event shall such bond be for less than \$5,000. The directors shall also annually appoint five persons to serve as a board of equalization and shall fix their compensation. Each member of the board and the tax assessor shall be residents of the district and own real property subject to hospital district taxation, and each shall have the same duties, including the obligation to execute the oath of office, as required by county officials exercising such powers and duties. Except as in this Act~~

~~provided to the contrary, all the provisions of Title 122, Revised Civil Statutes of Texas, 1925, as amended, shall apply to the district].~~

~~(d) The district may borrow money to pay the district's operating expenses in an amount not to exceed the amount of taxes or other revenues the district expects to receive during the fiscal year in which the money is borrowed. The district may pledge all or part of the taxes or other revenues received during that fiscal year to repay the indebtedness.~~

SECTION 14. Section 17, Chapter 872, Acts of the 62nd Legislature, Regular Session, 1971, is amended to read as follows:

Sec. 17. Whenever a patient [~~residing within the district~~] has been admitted to the facilities of the district [~~thereof~~], the district administrator or manager may cause inquiry to be made as to the patient's [~~his~~] circumstances and those of the relatives of such patient legally liable for the patient's [~~his~~] support. If the district administrator [~~he~~] finds that such patient or said relatives are able to pay for the [~~his~~] care and treatment provided by the district to the patient in whole or in part, an order shall be made directing such patient or said relatives to pay the hospital district for the care and support of such patient a specified sum per week in proportion to their financial ability. The district administrator or manager shall have power and authority to collect such sums from the estate of the patient or the patient's [~~his~~] relatives legally liable for the patient's [~~his~~] support in the manner provided by law for collection of expenses in the last illness of a deceased person. If the district administrator or manager finds that such patient or said relatives are not able to pay either in whole or in part for the [~~his~~] care and treatment provided to the patient by the district and that payment is not available from any other source [~~in such hospital~~], same shall become a charge upon the hospital district as to the amount of the inability to pay. Should there be any dispute as to the ability to pay or doubt in the mind of the district administrator or manager, the board of directors shall hear and determine the patient's ability to pay [~~same~~] after calling witnesses, and shall make such order or orders as may be proper. Appeals from the final order of the board shall lie to the district court. The substantial evidence rule shall apply.

SECTION 15. Section 18, Chapter 872, Acts of the 62nd Legislature, Regular Session, 1971, is amended to read as follows:

Sec. 18. The board of directors of the hospital district is authorized on behalf of the [~~such~~] district to accept donations, gifts, and endowments, in addition to those heretofore made to Hansford County for hospital and ancillary health care purposes, to be held in trust and administered by the board of directors for such purposes and under such directions, limitations, and provisions as may be prescribed in writing by the donor not inconsistent with proper management and objective of the hospital district.

SECTION 16. Section 19, Chapter 872, Acts of the 62nd Legislature, Regular Session, 1971, is amended to read as follows:

Sec. 19. After creation of the hospital district, no municipality or political subdivision within the boundaries of the district shall have the power to levy taxes or issue bonds or other obligations for hospital purposes or for providing medical care. The said hospital district shall assume full responsibility for providing hospital services [~~care~~] for the indigents residing within the district.

The hospital district may assume full responsibility for providing ancillary health care services for the indigent residents of the district and may operate or provide for the operation of a mobile emergency medical service. When the district is created and established, the county and all towns and cities located therein shall convey and transfer to the district title to all lands, buildings, improvements and equipment in anywise pertaining to a hospital or hospital system which may be jointly or separately owned by the county or any city or town within said district. Operating funds and reserves for operating expenses which are on hand and funds which have been budgeted for hospital purposes by the county or any city or town therein for the remainder of the fiscal year in which the district is established shall likewise be transferred to said district, as shall taxes theretofore levied for hospital purposes for the current year and all sinking funds established for payment of indebtedness assumed by the district.

SECTION 17. This Act takes effect September 1, 1997.

SECTION 18. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

HB 3457 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Chisum called up with senate amendments for consideration at this time,

HB 3457, A bill to be entitled An Act relating to the Hutchinson County Hospital District.

On motion of Representative Chisum, the house concurred in the senate amendments to **HB 3457**.

Senate Committee Substitute

CSHB 3457, A bill to be entitled An Act relating to the Hutchinson County Hospital District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 4.01(a), Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

(a) The district is governed by a board of seven directors, four of whom are elected and three of whom are appointed by the Commissioners Court of Hutchinson County as prescribed by Section 4.03 of this Act.

SECTION 2. Section 4.03 (d), Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

(d) After the initial election of directors, an election shall be held on the first Saturday in May each year and the appropriate number of successor directors shall be elected for staggered three-year terms, with as near as possible to one-third of the elected members' terms expiring each year. The commissioners court shall annually within 10 days of the date that elected directors are elected appoint the appropriate number of successor appointed directors to serve staggered three-year terms. The commissioners court may not appoint a person to serve more than two successive terms.

SECTION 3. Section 4.05, Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) A person who wishes to have his name printed on the ballot as a candidate for a position as an elected director, in accordance with Chapter 144, Election Code, and to the extent that chapter does not conflict with Article 4 of this Act, must file with the secretary of the board of directors an application signed by the person asking that his name be placed on the ballot.

(d) Subchapter C, Chapter 2, Election Code, applies to the election of unopposed candidates for the board of directors.

SECTION 4. Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, is amended by adding Section 4.055 to read as follows:

Sec. 4.055. WRITE-IN VOTING IN ELECTION. (a) In a general or special election of directors, a write-in vote may not be counted unless the name written in appears on the list of write-in candidates.

(b) To be entitled to a place on the list of write-in candidates, a candidate must make a declaration of write-in candidacy.

(c) A declaration of write-in candidacy must be filed with the secretary of the board of directors not later than 5 p.m. of the 25th day before election day. However, if a candidate whose name is to appear on the ballot dies or is declared ineligible after the 28th day before election day, a declaration of write-in candidacy for the office sought by the deceased or ineligible candidate may be filed not later than 5 p.m. of the 22nd day before election day.

(d) Subchapter B, Chapter 146, Election Code, applies to write-in voting in an election of directors except to the extent of a conflict with this section.

SECTION 5. Section 4.12, Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

Sec. 4.12. ADMINISTRATORS [ADMINISTRATOR], ASSISTANT ADMINISTRATORS [ADMINISTRATOR], AND ATTORNEY. (a) The board may appoint qualified persons as administrator of the district, administrator of ancillary health care facilities of the district, assistant administrators [administrator], and attorney for the district.

(b) The administrators [administrator], assistant administrators [administrator], and attorney serve at the will of the board.

(c) The administrators [administrator], assistant administrators [administrator], and attorney are entitled to compensation as determined by the board.

(d) Before assuming the administrator's [his] duties, the district administrator shall execute a bond payable to the hospital district in an amount of not less than \$5,000 as determined by the board, conditioned on the faithful performance of the administrator's [his] duties under this Act. The board may pay for the bond with district funds.

SECTION 6. Section 4.14(b), Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

(b) The board may delegate to the district administrator the authority to employ persons for the district.

SECTION 7. Section 4.15, Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

Sec. 4.15. GENERAL DUTIES OF DISTRICT ADMINISTRATOR.

(a) The district administrator shall supervise the work and activities of district facilities and the staff, employees, contractors, and agents of the district. The district administrator [and] shall direct the general affairs of the district, subject to the limitations prescribed by the board.

(b) The district administrator is responsible for the overall management of all district facilities, including ancillary health care facilities.

SECTION 8. Section 5.02, Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

Sec. 5.02. DISTRICT RESPONSIBILITIES. On creation of the district, the district:

(1) assumes full responsibility for operating hospital and ancillary health care facilities and for furnishing medical, [and] hospital, and ancillary health care for the district's needy inhabitants;

(2) assumes any outstanding indebtedness incurred by Hutchinson County in providing hospital care for residents of the territory of the district before the district's creation; and

(3) may operate or provide for the operation of a mobile emergency medical service.

SECTION 9. Section 5.03, Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

Sec. 5.03. MANAGEMENT, CONTROL, AND ADMINISTRATION. The board shall manage, control, and administer the hospital system, the ancillary health care system, and the funds and resources of the district.

SECTION 10. Section 5.04, Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

Sec. 5.04. DISTRICT RULES. The board may adopt rules governing the operation of the hospital, ancillary health care facilities, ancillary health care system, and hospital system and the duties, functions, and responsibilities of the [district] staff, [and] employees, contractors, or agents of the district.

SECTION 11. Section 5.06, Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

Sec. 5.06. HOSPITAL AND ANCILLARY HEALTH CARE PROPERTY, FACILITIES, AND EQUIPMENT. (a) The board has complete discretion to [shall] determine the type, number, and location, either inside or outside the district, of facilities [buildings] required to establish and maintain an adequate hospital system and ancillary health care system, and the type of equipment necessary for hospital care and ancillary health care, including domiciliary care and treatment of sick or injured patients, geriatric services, outpatient clinics, rural health clinics, convalescent home facilities, physician's offices, home health services, durable medical equipment, long-term care, skilled nursing care, intermediate nursing care, hospice care, ambulatory surgery centers, urgent care facilities, operation of a mobile emergency medical service, and any other facility or equipment the board considers necessary for the delivery of hospital, medical, and ancillary health care services.

(b) The board may acquire by lease, purchase, or lease to purchase property, facilities, supplies, and equipment for the district for use in the hospital system and ancillary health care system and may mortgage or pledge

the property, facilities, supplies, or equipment acquired as security for the payment of the purchase price.

(c) The board, on behalf of the district, may lease or sell all or part of the hospital facilities or ancillary health care facilities ~~[on behalf of the district]~~.

(d) The board, on behalf of the district, may lease, sell, or otherwise dispose of all or part of the district's property, facilities, supplies, or equipment to a public or private entity ~~[on behalf of the district]~~.

SECTION 12. Section 5.07(c), Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

(c) Chapter 2253, Government Code ~~[Article 5160, Revised Statutes]~~, as it relates to performance and payment bonds, applies to construction contracts let by the district.

SECTION 13. Section 5.08, Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

Sec. 5.08. DISTRICT OPERATING AND MANAGEMENT CONTRACTS. The board, on behalf of the district, may enter into operating or management contracts with one or more public or private entities relating to hospital and ancillary health care facilities and services ~~[on behalf of the district]~~.

SECTION 14. Sections 5.11(b) and (c), Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, are amended to read as follows:

(b) Not later than the beginning of each operating year, the district shall adopt an application procedure to determine eligibility for assistance, as provided by Section 61.053, Health and Safety Code ~~[10.03, Indigent Health Care and Treatment Act (Article 4438f, Vernon's Texas Civil Statutes)]~~.

(c) The administrator of the district may have an inquiry made into the financial circumstances of any patient ~~[residing in the district and]~~ admitted to a district facility and into the financial circumstances of a relative of the patient who is legally responsible for the patient's support.

SECTION 15. Sections 5.12(a) and (c), Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, are amended to read as follows:

(a) The board shall require reimbursement from a county, city, or public hospital located outside the boundaries of the district for the district's care and treatment of a sick, diseased, or injured person of that county, city, or public hospital as provided by Chapter 61, Health and Safety Code ~~[the Indigent Health Care and Treatment Act (Article 4438f, Vernon's Texas Civil Statutes)]~~.

(c) The board may contract with this or another ~~[the]~~ state, the ~~[or]~~ federal government, or an agency or political subdivision of this or another state or the federal government ~~[for the state or federal government]~~ to reimburse the district for the care and treatment of a sick, diseased, or injured person.

SECTION 16. Section 5.13, Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

Sec. 5.13. SERVICE CONTRACTS. The board may contract with any ~~[a]~~ city, county, special district, or state, the federal government, an agency or ~~[other]~~ political subdivision of those public entities, or a charitable or other private entity ~~[the state or with a state or federal agency]~~ for the district to furnish a mobile emergency medical service or to provide for the investigatory or welfare needs of inhabitants of the district or of persons for whom the public or private entity has an obligation to provide care.

SECTION 17. Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, is amended by adding Section 5.19 to read as follows:

Sec. 5.19. JOINT OWNERSHIP ARRANGEMENTS. (a) The board, on behalf of the district, may enter into a joint ownership arrangement with one or more public or private entities for the:

(1) provision of management or operating services; and
(2) ownership of all or part of real property, facilities, equipment, or supplies.

(b) The board must determine the arrangement is in the district's best interest and is for a public purpose of the district before the board enters into an arrangement under this section.

SECTION 18. Section 6.05(d), Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

(d) At the conclusion of the hearing, the board shall adopt a budget by acting on the budget proposed by the district administrator. The board may make any changes in the proposed budget that the board considers proper to provide adequate ~~[hospital]~~ care and treatment at a hospital or ancillary health care facility of the district.

SECTION 19. Section 6.09(b), Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

(b) The board may invest operating, depreciation, or building reserves ~~[only]~~ in funds or securities specified by Article 836 or 837, Revised Statutes, or by Chapter 2256, Government Code, or in any other investment vehicle or fund if the board determines that investing the reserves in that vehicle or fund is in the district's best interest and does not violate the Texas Constitution [the Public Funds Investment Act of 1987 (Article 842a-2, Vernon's Texas Civil Statutes)].

SECTION 20. Section 7.01, Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

Sec. 7.01. GENERAL OBLIGATION BONDS. The board may issue and sell bonds authorized by an election in the name and on the faith and credit of the hospital district to:

(1) purchase, construct, acquire, equip, repair, or renovate buildings, facilities, equipment, or improvements for hospital purposes, including facilities and improvements incidental and beneficial to operating and maintaining hospitals and ancillary facilities that provide medical and ancillary health care services and treatment; or

(2) acquire and operate a mobile emergency medical service.

SECTION 21. Sections 7.04(a) and (c), Chapter 77, Acts of the 71st Legislature, Regular Session, 1989, are amended to read as follows:

(a) The board may issue revenue bonds to:

(1) purchase, construct, acquire, repair, equip, or renovate buildings or improvements for hospital and ancillary health care purposes;

(2) acquire sites to be used for hospital and ancillary health care purposes; or

(3) acquire and operate a mobile emergency medical service to assist the district in carrying out its hospital and ancillary health care purposes.

(c) The bonds must be issued in the manner provided by Sections 264.042,

~~264.043, 264.046, 264.047, 264.048, and 264.049, Health and Safety Code [8; 10, 11, 12, and 13, County Hospital Authority Act (Article 4494r, Vernon's Texas Civil Statutes)], for issuance of revenue bonds by county hospital authorities, or in accordance with other laws relating to the issuance of revenue bonds by hospital districts.~~

SECTION 22. (a) Except as provided by Subsection (b) of this section, this Act takes effect immediately.

(b) Section 4 of this Act takes effect September 1, 1997.

SECTION 23. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force according to its terms, and it is so enacted.

HB 2601 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Wohlgemuth called up with senate amendments for consideration at this time,

HB 2601, A bill to be entitled An Act relating to regulating personal care facilities; providing for a civil penalty.

On motion of Representative Wohlgemuth, the house concurred in the senate amendments to **HB 2601**.

Senate Committee Substitute

CSHB 2601, A bill to entitled An Act relating to regulating personal care facilities; providing for a civil penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 247.024, Health and Safety Code, is amended to read as follows:

Sec. 247.024. [~~LICENSE~~] FEES; DISPOSITION OF REVENUE. (a) The board shall set license fees imposed by this chapter in amounts reasonable and necessary to defray the cost of administering this chapter, but not to exceed:

- (1) \$300 for a personal care facility that has not more than 10 beds;
- (2) \$350 for a personal care facility that has not less than 11 or more than 20 beds; and
- (3) \$400 for a personal care facility that has 21 or more beds.

(b) All fees or penalties collected under this chapter shall be deposited in the state treasury to the credit of the general revenue [~~personal care facility licensing~~] fund and shall be appropriated to the department only to administer and enforce this chapter.

(c) Investigation fees or attorney's fees may not be assessed against or collected from a personal care facility by or on behalf of the department or another state agency unless the department or other state agency assesses and collects a penalty authorized by this chapter from the facility.

SECTION 2. Section 247.026(b), Health and Safety Code, is amended to read as follows:

- (b) The standards must:

(1) clearly differentiate a personal care facility from an institution required to be licensed under Chapter 242; ~~and~~

(2) ensure quality care and protection of the residents' health and safety without excessive cost; and

(3) require a personal care facility to use its license number in all advertisements, solicitations, and promotional materials.

SECTION 3. Section 247.044(a), Health and Safety Code, is amended to read as follows:

(a) The department may petition a district court for a temporary restraining order to restrain a continuing violation of the standards or licensing requirements provided under this chapter if the department finds that:

(1) the violation creates an immediate threat to the health and safety of the personal care facility residents; or

(2) the facility is operating without a license.

SECTION 4. Section 247.045, Health and Safety Code, is amended to read as follows:

Sec. 247.045. CIVIL PENALTIES. (a) A person who violates this chapter or who fails to comply with a rule adopted under this chapter and whose violation is determined by the department to threaten the health and safety of a resident of a personal care facility is subject to a civil penalty of not less than \$100 nor more than \$10,000 for each act of violation. Each day of a continuing violation constitutes a separate ground of recovery.

(b) A person is subject to a civil penalty if the person:

(1) is in violation of Section 247.021; or

(2) has been determined to be in violation of Section 247.021 and violates any other provision of this chapter or fails to comply with a rule adopted under this chapter.

(c) The amount of a civil penalty under Subsection (b) may not be less than \$1,000 or more than \$10,000 for each act of violation. Each day of a continuing violation constitutes a separate ground of recovery.

SECTION 5. Section 247.046, Health and Safety Code, as added by Chapter 349, Acts of the 72nd Legislature, Regular Session, 1991, and amended by Chapter 76, Acts of the 74th Legislature, Regular Session, 1995, is amended to read as follows:

Sec. 247.046. COOPERATION AMONG AGENCIES. The board, the Department of Protective and Regulatory Services, and the attorney general shall adopt by rule a memorandum of understanding that:

(1) defines each agency's responsibilities concerning personal care facilities and coordinates each agency's activities;

(2) details coordinated procedures to be used by each agency in responding to complaints relating to neglect or abuse of residents of facilities, to substandard facilities, and to unlicensed facilities;

(3) identifies enforcement needs each agency may have in order to perform its duties under the memorandum of understanding, including any need for access to information or to facilities under investigation or operating under a plan of correction; and

(4) provides a plan for correcting violations in substandard or unlicensed personal care facilities that specifies the conditions under which it

is appropriate to impose such a plan and that outlines a schedule of implementation for the plan.

SECTION 6. This Act takes effect September 1, 1997.

SECTION 7. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

HB 2201 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Stiles called up with senate amendments for consideration at this time,

HB 2201, A bill to be entitled An Act relating to the payment of property taxes pending appeal and to attorney's fees and penalties in a property tax appeal.

On motion of Representative Stiles, the house concurred in the senate amendments to **HB 2201** by (Record 414): 141 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirsch; Hochberg; Hodge; Holzhauser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Shields; Siebert; Smith; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker; Clark; Jones, D.(C).

Absent, Excused — Junell; Oliveira; Serna.

Absent — Davila; Smithee.

Senate Committee Substitute

CSHB 2201, A bill to entitled An Act relating to the payment of property taxes pending appeal and to attorney's fees and penalties in a property tax appeal.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 42.08(b) and (c), Tax Code, are amended to read as follows:

(b) Except as provided in Subsection (d), a property owner who appeals as provided by this chapter must pay taxes on the property subject to the appeal in the amount required by this subsection before the delinquency date or the property owner forfeits the right to proceed to a final determination of the appeal. The amount of taxes the property owner must pay on the property before the delinquency date to comply with this subsection is the lesser of:

(1) the amount of taxes due on the portion of the taxable value of the property that is not in dispute ~~[or the amount of taxes imposed on the property in the preceding year, whichever is greater];~~ or

(2) the amount of taxes due on the property under the order from which the appeal is taken.

(c) A property owner that pays an ~~[the]~~ amount of taxes greater than that required by Subsection (b) does not forfeit the property owner's right to a final determination of the appeal by making the payment. If the property owner files a timely appeal under this chapter, taxes paid on the property are considered paid under protest, even if paid before the appeal is filed.

SECTION 2. Section 42.29, Tax Code, is amended to read as follows:

Sec. 42.29. ATTORNEY'S FEES. (a) A property owner who prevails in an appeal to the court under Section 42.25 or ~~[Section]~~ 42.26 ~~[of this code]~~ may be awarded reasonable attorney's fees. The amount of the award may not [to] exceed the greater of:

(1) \$15,000; or

(2) 20 percent of the total amount by which the property owner's tax liability is reduced as a result of the appeal.

(b) Notwithstanding Subsection (a), the amount of an [The] award of attorney's fees[~~, however,~~] may not exceed the lesser of:

(1) \$100,000; or

(2) the total amount by which the property owner's tax liability is reduced as a result of the appeal.

SECTION 3. Section 42.42, Tax Code, is amended by amending Subsections (b) and (c) and adding Subsection (d) to read as follows:

(b) If the final determination of an appeal that increases a property owner's tax liability occurs after the property owner has paid his taxes, the assessor for each affected taxing unit shall prepare and mail a supplemental tax bill in the manner provided by Chapter 31 ~~[of this code]~~ for tax bills generally. The assessor shall include with the bill a brief explanation of the reason for and effect of the supplemental bill. The additional tax is due on receipt of the supplemental bill and becomes delinquent if not paid before the delinquency date prescribed by Chapter 31 ~~[of this code]~~ or before the first day of the next month after the date of mailing that will provide at least 21 days for payment of the tax, whichever is later.

(c) If the final determination of an appeal occurs after the property owner has paid a portion of the tax finally determined to be due as required by Section 42.08 ~~[of this code]~~, the assessor for each affected taxing unit shall prepare and mail a supplemental tax bill in the form and manner prescribed by Subsection (b) ~~[of this section]~~. The additional tax is due and becomes delinquent as provided by Subsection (b), but the property owner is liable for penalties and interest on the tax included in the supplemental bill calculated as provided by

Section 33.01 as if the tax included in the supplemental bill became delinquent on the original delinquency date prescribed by Chapter 31 [at the rate prescribed by this code for delinquent taxes].

(d) If the property owner did not pay any portion of the taxes imposed on the property because the court found that payment would constitute an unreasonable restraint on the owner's right of access to the courts as provided by Section 42.08(d), after the final determination of the appeal the assessor for each affected taxing unit shall prepare and mail a supplemental tax bill in the form and manner prescribed by Subsection (b). The additional tax is due and becomes delinquent as provided by Subsection (b), but the property owner is liable for interest on the tax included in the supplemental bill calculated as provided by Section 33.01 as if the tax included in the supplemental bill became delinquent on the delinquency date prescribed by Chapter 31.

SECTION 4. (a) The changes in law made by Sections 1 and 2 of this Act apply only to an appeal filed under Chapter 42, Tax Code, as amended by this Act, on or after the effective date of this Act. An appeal filed under Chapter 42, Tax Code, as amended by this Act, before the effective date of this Act is governed by the law in effect when the appeal was filed, and that law is continued in effect for that purpose.

(b) Except as provided by Subsection (c) of this section, the change in law made by this Act to Section 42.42(c), Tax Code, applies only to the accrual of penalties and interest on taxes on property subject to an appeal that are paid on or after the effective date of this Act or for which the supplemental tax bill is mailed under Section 42.42(c), Tax Code, on or after the effective date of this Act. For taxes on property subject to an appeal for which the original delinquency date prescribed by Chapter 31, Tax Code, occurred before the effective date of this Act and that are paid on or after the effective date of this Act or for which the supplemental tax bill is sent under Section 42.42(c), Tax Code, on or after the effective date of this Act, penalties imposed as provided by Section 42.42(c), Tax Code, as amended by this Act, on the additional tax paid on or after the effective date of this Act or included in the supplemental tax bill sent on or after that date are calculated as provided by Section 33.01, Tax Code, as if the delinquency date for those taxes is the first day of the first calendar month that begins on or after the 21st day after the effective date of this Act.

(c) The accrual of penalties and interest on taxes for which a supplemental tax bill is sent as provided by Section 42.42(c), Tax Code, before the effective date of this Act are governed by Section 42.42(c), Tax Code, as that section existed when the supplemental tax bill was mailed, and that law is continued in effect for that purpose.

(d) Section 42.42(d), Tax Code, as added by this Act, applies only to the accrual of interest on unpaid taxes covered by that subsection on or after the effective date of this Act. The accrual of penalties and interest on those taxes before the effective date of this Act is governed by the applicable law in effect before the effective date of this Act.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several

days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

CSSB 663 ON SECOND READING (Place and Hightower - House Sponsors)

CSSB 663, A bill to be entitled An Act relating to the authority of a judge to place a defendant convicted of a state jail felony on community supervision, to the supervision of those defendants, and to the facilities in which those defendants may be confined.

CSSB 663 was read second time on May 13 and was postponed until 10 a.m. today.

Amendment No. 1

Representative Place offered the following amendment to **CSSB 663**:

Amend **CSSB 663** as follows:

(1) Add an appropriately numbered SECTION to read as follows and renumber existing SECTIONS accordingly:

SECTION _____. Section 15(e), Article 42.12, Code of Criminal Procedure, is amended to read as follows:

(e) If a defendant violates a condition of community supervision imposed on the defendant under this article and after a hearing under Section 21 of this article the judge modifies the defendant's community supervision, the judge may impose any sanction permitted by Section 22 of this article, except that if the judge requires [may not require] a defendant to serve a period of confinement in a state jail felony facility as a modification of the defendant's community supervision, the minimum term of confinement is 90 days and the maximum term of confinement is 180 days.

(2) In proposed SECTION 5(a) of the bill (house committee printing, page 3, line 25), between "(a)," and "(f)(2)", insert "(e),".

Amendment No. 1 was adopted without objection.

CSSB 663, as amended, was passed to third reading.

MAJOR STATE CALENDAR SENATE BILLS THIRD READING

The following bills were laid before the house and read third time:

SB 1906 ON THIRD READING (Eiland - House Sponsor)

SB 1906, A bill to be entitled An Act relating to the administration of oil overcharge funds.

SB 1906 was passed.

(Speaker in the chair)

SB 1663 ON THIRD READING
(Keel - House Sponsor)

SB 1663, A bill to be entitled An Act relating to the business of selling checks.

SB 1663 was passed.

GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING

The following bills were laid before the house and read third time:

SB 1007 ON THIRD READING
(Hirschi - House Sponsor)

SB 1007, A bill to be entitled An Act relating to increased civil penalties for deceptive trade practices against elderly consumers.

A record vote was requested.

SB 1007 was passed by (Record 415): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Rhodes; Roman; Sadler; Seaman; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Junell; Oliveira; Serna.

Absent — Corte; Garcia; Hochberg; Keel; Reyna, E.; Wilson.

STATEMENT OF VOTE

When Record No. 415 was taken, I was in the house but away from my desk. I would have voted yes.

Keel

SB 706 ON THIRD READING
(Brimer - House Sponsor)

SB 706, A bill to be entitled An Act relating to recomputation of an employer's unemployment compensation experience rate based on payment by the employer of certain voluntary contributions.

SB 706 was passed.

SB 394 ON THIRD READING
(Naishtat - House Sponsor)

SB 394, A bill to be entitled An Act relating to the application process for state loan and loan guaranty programs.

SB 394 was passed.

SB 1534 ON THIRD READING
(Berlanga, Culberson, Bosse, Goodman, Naishtat, et al. - House Sponsors)

SB 1534, A bill to be entitled An Act relating to additional court filing fees to provide basic civil legal services to the indigent.

Amendment No. 1

Representative Berlanga offered the following amendment to **SB 1534**:

Amend **SB 1534** on third reading, on page 3, line 14, by striking "country in matters of asylum" and substituting "country".

Amendment No. 1 was adopted without objection.

SB 1534, as amended, was passed. (Heflin and Madden recorded voting no)

SB 1534 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE MADDEN: Thank you, Mr. Speaker. Mr. Berlanga, some of us had quite a few questions about this bill concerning the use of where this money goes. Can you explain to the membership where this money is used?

REPRESENTATIVE BERLANGA: 75 percent of this money is used for clients who have domestic problems—this is the fund, as you well know, that will be administered by the Supreme Court of Texas. For the first time the legislature is requiring that the supreme court report to the legislature how those monies are expended. They will also report to the legislature any sanctions that are given by the supreme court regarding the expenditure of these funds. This is a very tightly drawn bill and I really appreciate the fact that the governor's office chief legal counsel, along with Mr. Culberson, Mr. Clark, Mr. Hartnett, Mr. Goodman...worked on this bill because the way the bill came out of the senate was obviously not acceptable not only to me, but not acceptable to those members that I have mentioned...and we worked on this to make this bill extremely restrictive. Now, the other thing that we did yesterday on the Culberson amendment that any attorney's fees that are recovered will go back to the fund administered by the supreme court.

MADDEN: Mr. Berlanga, I appreciate that because that's obviously one of the major concerns that I had on this bill. Is it your contention, therefore, that the amendments put on by Representatives Culberson and Hartnett took care of the differences that were there between the house bill that we had on the calendar previously and between this senate bill which obviously came over without those kinds of protections of the utilization of the funds.

BERLANGA: That's correct.

MADDEN: And it's your contention that none of these monies, therefore, will be used for things such as in court cases where clearly the person that they're coming in support of is not an indigent or not a citizen and also that they would not be used for political purposes.

BERLANGA: That's correct. There will be no purposes such as class action law suits, no lobbying, no abortion cases, no political asylum cases...these were the concerns that have been raised by the committee and all these provisions are prohibited under this fund.

MADDEN: And Texas Royal Legal Assistance has both federal and state monies that it gets, is that not correct?

BERLANGA: I'm sorry now.

MADDEN: Doesn't the Royal Legal Services receive money, both federal and state funds?

BERLANGA: That's correct. And there's been a major reduction on those federal dollars, as you well know.

MADDEN: Right, I understand that. Also, I understand that they claimed at one time that they neither used federal money, nor state money in the suit that went on in Val Verde, is that correct?

BERLANGA: That is my understanding. And then again let me also point out that under what we've done here, none of these funds could be used to fund any case against a governmental entity and these were some of the concerns in discussions with the various parties and in particular with the governor's office that we ensured that these monies could not be utilized for those purposes.

MADDEN: And it's also my understanding that they did use some funds involved in that case. They indicated it was three or four thousand dollars, if I'm not mistaken, is that right?

BERLANGA: I'm not aware because that is not a case that I'm very particularly happy about because that was clearly a case that in my opinion questioned the integrity of our military men regarding their votes that they've cast. Especially when over 40 percent of those votes that were cast were registered voters in Val Verde and I just don't think that anybody should ever question our military personnel's right to vote in any election. Especially when. . .

MADDEN: You and I are in concurrence on that. And we may disagree on some other items in that area, but we definitely concur on that. And I want to make sure that these funds are not being used particularly in the way that was done in the past by these people to send those 40 percent and I think some others that were truly legitimate voters in that area this questionnaire that was mailed out by their legal people. And I appreciate your answers, Mr. Berlanga.

BERLANGA: Thank you very much.

REPRESENTATIVE SHIELDS: Mr. Chairman, how was it that the problem got out of hand out there in the first place, in Del Rio?

BERLANGA: I'm not advised, Mr. Shields, because I'm not involved. I was not involved in that situation. To be honest with you, I don't even keep up with what the Federal Rural Legal Aid Program does. What I am concerned about is the fact that there have been drastic cuts made, and this is a program that will ensure, at least in Texas, that we do provide some assistance to those individuals under very strict, very strict, very restrictive guidelines. And like I said, I think we have a real good bill, and I think that if the rest of the country and the federal government would model what we are doing here in Texas, we could probably avoid some of those problems from ever occurring again.

SHIELDS: Don't you believe that there were guidelines already previously in place to prevent the use of these tax dollars for political motivation?

BERLANGA: And I'm sure this is why I think that maybe Congress is going back and revisiting that issue, but that's the one thing that I do not want to repeat in Texas. I think we have an excellent supreme court; I think it's a very conservative supreme court, and I think that the supreme court will be able to carry out their judicial responsibility. And at the same time, we have built into this the accountability that had here before not been present, and that is, I want the Supreme Court of Texas to report to this legislative body, and to the governor, lieutenant governor, speaker, who receive these funds, and furthermore, I want to know about any group that has been sanctioned by the supreme court. In fact, I'm not so sure we shouldn't sanction the supreme court if they go astray from the intended purpose of this section. But I have a lot of confidence in Justice Phillips, and the rest of the supreme court, that they will carry out the judicial responsibility and do what is meant to be done by this bill.

SHIELDS: I wanted to ask about sanctions in here, but before I get to that, did anybody lose their job with legal aid over this Del Rio case?

BERLANGA: Mr. Shields, I am not aware as I've indicated to you earlier. I am not privy to the circumstances other than what I read, the little bit that I read, regarding that particular case. And I wish I could be a better....

SHIELDS: Here's my concern. These are questions I would've asked, by the way, in committee, but for some reason the witnesses didn't seem to be available to finish asking my question, so since I did serve on that committee and I had some questions—evidently I missed yesterday—was this a bill we had at second reading yesterday?

BERLANGA: Yes, this bill passed yesterday.

SHIELDS: Evidently I must have been working on something else or on the phone or whatever. I missed my chance to ask you questions yesterday. Here's my concern. You know, I just have to believe that there were guidelines against using federal or state monies for political litigation. I have to believe those guidelines were there before. I have to believe that the same people who were involved—I've not heard of anybody losing their job, so I think those same people are still there. They may have been reassigned, I don't know. My question to you is, what is the difference in your bill that is going to prevent this from happening again? Because we're going to have political situations arise; we've got the same people out there and they're going to be. . .

BERLANGA: I don't think those situations arise and this is why. Mr. Culberson and the chief counsel for the governor sat in when we were changing the senate bill as it came over, and let me just tell you that the bill came out

of the senate 31 to nothing. But that bill as it came out, as you well know, was not acceptable to me and it was obviously not acceptable to a lot of members of this body. And this is why the committee drastically changed the bill and we took it one step further that even after the bill came out of committee, we made some additional changes at the request of some members, but also with the input from the chief legal counsel for the governor's office, coupled with the President of the State Bar of Texas and the State Bar of Texas attorneys who sat in on these deliberations because in fact we wanted a very, very restrictive bill that is administered by the Supreme Court of the State of Texas. Now, regarding the rules, that if you'll look at the bill, that the bill specifically says the supreme court will promulgate the rules necessary to implement this act. And so what I'm telling you is that I have a tremendous amount of confidence because for the first time. . .

SHIELDS: We've already talked about that.

BERLANGA: . . .we're going to require the supreme court to tell us who got the money, number two, if anybody violated any provisions of this act, and report to us who has been sanctioned by the supreme court. Now. . .

SHIELDS: Can we talk about that?

BERLANGA: If they don't do their job, then obviously it's our job to come back and maybe we ought to reprimand the supreme court. But I have a lot of confidence that what we are providing for in this bill. . .

SHIELDS: You've told me that three times.

BERLANGA: . . .is going to allow this to be carried out accordingly.

SHIELDS: Okay, can I talk about the sanctions. My next question was going to be, what are the sanctions that you have got in your bill, but you just told me that there are no sanctions in here.

BERLANGA: There are no. . .

SHIELDS: We're relying on the supreme court to do any sanctions, right?

BERLANGA: And I think that's the appropriate body.

SHIELDS: What would their sanctions be?

BERLANGA: I mean what do you think Judge Phillips would want to do in terms of—I can't answer that.

SHIELDS: Well, let's. . .

BERLANGA: . . .but I think that we have a supreme court that is extremely conservative. . .

SHIELDS: . . .Mr. Chairman.

BERLANGA: Yes sir.

SHIELDS: All I'm asking you is if there was another situation like the Val Verde political litigation to arise using this kind of money, state money. . .

BERLANGA: First of all let me just tell you they cannot use these dollars, Mr. Shields. . .

SHIELDS: Well, I'm asking you, what would be the sanctions?

BERLANGA: I think that, first of all, I think that the supreme court would not provide for any additional monies to be provided to that particular entity.

SHIELDS: Okay, so it would cut off money?

BERLANGA: Yes sir.

SHIELDS: Okay, well see, some of us have voted no—I voted no—in the committee because if we're going to cut off the money, we can do that now. We don't have to wait for another situation, another problem or incident.

BERLANGA: You cannot cut off those monies right now because I'm— from what I understand, is that monies are asked for, monies are applied for, and and they're being given. This is why we have the accountability that the governor's office chief legal counsel and other members in this body wanted. We wanted the accountability because I think we ought to know who they're providing these dollars for. We ought to know if an entity goes astray. We ought to know who went astray and what sanctions that the supreme court provide on them, Mr. Shields.

SHIELDS: Okay, I've got another question that I'd like to ask, but it sounds like there are no sanctions here. I mean, we're going to trust the supreme court. Okay, next question.

BERLANGA: If we can't trust the Supreme Court, Mr. Shields, who can we trust?

SHIELDS: Well I trust. . .

BERLANGA: I mean this is a conservative, Republican, Supreme Court of Texas. Now. . .

SHIELDS: We don't need this litigation, we don't need this legislation to trust the supreme court is what I'm saying. Let me get on to my next question though. . .

BERLANGA: But what I'm saying—but obviously we're going to respectfully disagree.

SHIELDS: Next question.

BERLANGA: Because I. . .

SHIELDS: We can disagree, that's okay.

BERLANGA: Okay, we're fine.

SHIELDS: Next question. Would it not be better to handle this type of funding of a pro bono type service at the local level? There's already pro bono out there even at the state level and state bar. They require individual attorneys to report 50 hours of. . .

BERLANGA: According to the state bar, there is not sufficient pro bono, and if you want to clutter up the courts with additional incoherent suits being brought forth, fine. But this is about taking care of—and the essence of this legislation is to take care of a lot of the domestic problems that are currently occurring. And this is about justice for people in Texas who live under the poverty level. We're not talking just about anybody. Do you realize to qualify to even get any of those services that you have to be only \$12,000 a year or less and have a family of four?

REMARKS ORDERED PRINTED

Representative Madden moved to print remarks by Representatives Madden, Shields, and Berlanga on **SB 1534**.

The motion prevailed without objection.

SB 773 ON THIRD READING (Mowery - House Sponsor)

SB 773, A bill to be entitled An Act relating to restricting the use of designated lanes of certain highways.

A record vote was requested.

SB 773 was passed by (Record 416): 140 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Oakley; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Sadler; Seaman; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Nays — Brimer; Keel.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Junell; Oliveira; Serna.

Absent — Dukes; Nixon; Roman.

SB 1313 ON THIRD READING
(Hirschi - House Sponsor)

SB 1313, A bill to be entitled An Act relating to the designation of licensed dietitians as service providers under the chronically ill and disabled children's services program.

SB 1313 was passed.

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

SB 770 ON SECOND READING
(Seaman - House Sponsor)

SB 770, A bill to be entitled An Act relating to the funding of certain peer assistance programs.

SB 770 was considered in lieu of **HB 2641**.

SB 770 was read second time and was passed to third reading. (Heflin recorded voting no)

HB 2641 - LAID ON THE TABLE SUBJECT TO CALL

Representative Seaman moved to lay **HB 2641** on the table subject to call.

The motion prevailed without objection.

CSHB 666 ON SECOND READING
(by Krusee)

CSHB 666, A bill to be entitled An Act relating to authorizing certain municipal utility districts to repair and maintain streets and to issue bonds for that purpose.

CSHB 666 was read second time on May 7, postponed until May 12, and was again postponed until 10 a.m. today.

Representative Krusee moved to postpone consideration of **CSHB 666** until 10 a.m. Thursday, May 15.

The motion prevailed without objection.

CSHB 1906 ON SECOND READING
(by Siebert)

CSHB 1906, A bill to be entitled An Act relating to motor vehicle registration.

CSHB 1906 was read second time on May 7, postponed until May 12, and was again postponed until 10 a.m. today.

Representative Siebert moved to postpone consideration of **CSHB 1906** until 10 a.m. Thursday, May 15.

The motion prevailed without objection.

SB 96 ON SECOND READING
(Madden - House Sponsor)

SB 96, A bill to be entitled An Act relating to the regulation of political contributions and political expenditures in connection with certain judicial candidates and officeholders; providing a penalty.

SB 96 was considered in lieu of **HB 50**.

SB 96 was read second time and was passed to third reading.

HB 50 - LAID ON THE TABLE SUBJECT TO CALL

Representative Madden moved to lay **HB 50** on the table subject to call.

The motion prevailed without objection.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today because of important business:

Smithee on motion of Delisi.

CSHB 3324 ON SECOND READING
(by Talton)

CSHB 3324, A bill to be entitled An Act relating to civil service for firefighters and police officers in certain municipalities.

CSHB 3324 was read second time on May 9, postponed until May 12, and was again postponed until 10 a.m. today.

Representative Talton moved to postpone consideration of **CSHB 3324** until 2 p.m. Thursday, May 15.

The motion prevailed without objection.

**MAJOR STATE CALENDAR
HOUSE BILLS
THIRD READING**

The following bills were laid before the house and read third time:

**HB 119 ON THIRD READING
(by Hirschi, Maxey, Naishtat, et al.)**

HB 119, A bill to be entitled An Act relating to disclosure of ingredients in cigarettes and tobacco products.

HB 119 was passed. (Heflin recorded voting no)

**HB 2481 ON THIRD READING
(by Swinford, West, Hawley, B. Turner, Chisum, et al.)**

HB 2481, A bill to be entitled An Act relating to faith-based chemical dependency treatment programs and counselors.

HB 2481 was passed.

**HB 3054 ON THIRD READING
(by Berlanga)**

HB 3054, A bill to be entitled An Act relating to the creation of an immunization registry and to reporting requirements concerning immunizations; providing a criminal penalty.

Amendment No. 1

Representatives Corte and Berlanga offered the following amendment to **HB 3054**:

Amend **HB 3054** on third reading as follows:

On page 1, line 15, after the period, insert the following:

The department, by rule, shall develop guidelines to protect the confidentiality of patients and inform parents or a managing conservator or guardian about the immunization registry and the opportunity for exemption from the registry.

Amendment No. 1 was adopted without objection.

HB 3054, as amended, was passed.

**HB 298 ON THIRD READING
(by Madden, Maxey, Danburg, Denny, J. Jones, et al.)**

HB 298, A bill to be entitled An Act relating to election dates and to information concerning cost savings in the conduct of elections.

A record vote was requested.

HB 298 was passed by (Record 417): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dunnam; Dutton; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirsch; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Olivo; Palmer; Patterson; Pickett; Pitts; Price; Puente; Rabuck; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Shields; Siebert; Smith; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbraneck.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Junell; Oliveira; Serna; Smithee.

Absent — Dukes; Edwards; Haggerty; Place; Ramsay; Seaman; Williams.

STATEMENT OF VOTE

When Record No. 417 was taken, I was in the house but away from my desk. I would have voted yes.

Place

HB 2324 ON THIRD READING

(by Allen)

HB 2324, A bill to be entitled An Act relating to the organization and operation of prison industries, agricultural programs, and work programs of the Texas Department of Criminal Justice; providing a penalty.

Amendment No. 1

Representative Allen offered the following amendment to **HB 2324**:

Amend **HB 2324** on 3rd Reading by adding a new SECTION to read as follows and by renumbering existing SECTIONS accordingly:

SECTION _____. Section 497.051, Government Code, is amended to read as follows:

Sec. 497.051. OVERSIGHT [~~WORK PROGRAM PLAN~~]. (a) The prison industries advisory committee shall approve, certify, and oversee the operation of private sector prison industries programs in the department, the Texas Youth Commission, and in county correctional facilities in compliance [~~shall establish policies for the administration of a conditional work program that may employ not more than 500 male and female work program residents. The policies must include a work program contract that includes an agreement by the resident to contribute from the wages received by the resident for the resident's~~

~~participation in private industry employment a percentage of the wages, in accordance with rules adopted by the board to comply] with the federal prison enhancement certification program established under 18 U.S.C. Section 1761[; and a percentage of the wages for:~~

~~(1) costs of supervision;~~
~~(2) restitution to the victim or victims of the resident; and~~
~~(3) savings to be retained for the resident in a designated account for the resident's benefit and receipt on release.~~

~~(b) This subchapter does not restore in whole or in part the civil rights of a work program resident.~~

~~(c) A work program resident employed under this subchapter is not subject to workers' compensation laws, and the resident and the resident's beneficiaries may not receive compensation under those laws, except that a private industry may provide workers' compensation benefits to a resident and a resident's beneficiaries as necessary to certify a work program operated by the industry as a work pilot project described in 18 U.S.C. Section 1761].~~

Amendment No. 1 was adopted without objection.

HB 2324, as amended, was passed.

HB 102 ON THIRD READING

(by Gray, Greenberg, Van de Putte, McCall, et al.)

HB 102, A bill to be entitled An Act relating to minimum coverage under certain health benefit plans for inpatient stays and postdelivery care following the birth of a child.

HB 102 was passed.

HB 3059 ON THIRD READING

(by King)

HB 3059, A bill to be entitled An Act relating to the regulation of on-site sewage disposal facilities.

HB 3059 was passed.

HB 2913 ON THIRD READING

(by Berlanga)

HB 2913, A bill to be entitled An Act relating to the authority of the Health and Human Services Commission to administer and operate the Medicaid managed care program.

Amendment No. 1

On behalf of Representative Berlanga, Representative Maxey offered the following amendment to **HB 2913**:

Amend **HB 2913** on Third Reading as follows:

In added Section 533.002(5), Government Code, strike "including services listed in Section 533.008(2)(D)".

Amendment No. 1 was adopted without objection.

A record vote was requested.

HB 2913, as amended, was passed by (Record 418): 95 Yeas, 34 Nays, 2 Present, not voting. (The vote was reconsidered later today, and **HB 2913**, as amended, was passed by Record 422.)

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Christian; Coleman; Cook; Counts; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Ehrhardt; Eiland; Farrar; Finnell; Flores; Gallego; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Gutierrez; Haggerty; Hamric; Hawley; Hernandez; Hightower; Hilbert; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Hunter; Janek; Jones, D.; Jones, J.; Kamel; King; Kubiak; Lewis, R.; Longoria; Luna; Maxey; McCall; McClendon; McReynolds; Merritt; Moreno; Oakley; Olivo; Palmer; Patterson; Price; Puente; Ramsay; Rangel; Raymond; Rhodes; Sadler; Solis; Stiles; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Van de Putte; West; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Yarbrough; Zbranek.

Nays — Carter; Chisum; Clark; Corte; Crabb; Elkins; Grusendorf; Hartnett; Heflin; Hilderbran; Hill; Horn; Howard; Hupp; Isett; Jackson; Keffer; Kuempel; Madden; Marchant; Moffat; Mowery; Pitts; Rabuck; Reyna, E.; Roman; Seaman; Shields; Siebert; Solomons; Staples; Swinford; Williams; Woolley.

Present, not voting — Mr. Speaker(C); Smith.

Absent, Excused — Junell; Oliveira; Serna; Smithee.

Absent — Chavez; Edwards; Galloway; Keel; Krusee; Lewis, G.; Naishtat; Nixon; Pickett; Place; Reyna, A.; Talton; Uher; Walker.

STATEMENTS OF VOTE

When Record No. 418 was taken, I was in the house but away from my desk. I would have voted yes.

Chavez

I was shown voting yes on Record No. 418. I intended to vote no.

Christian

I was shown voting yes on Record No. 418. I intended to vote no.

Denny

When Record No. 418 was taken, I was temporarily out of the house chamber. I would have voted no.

Galloway

I was shown voting yes on Record No. 418. I intended to vote no.

McCall

When Record No. 418 was taken, I was in the house but away from my desk. I would have voted no.

Talton

HB 3216 ON THIRD READING
(by Stiles and Brimer)

HB 3216, A bill to be entitled An Act relating to the use of attorneys representing insurance carriers in certain workers' compensation proceedings.

Amendment No. 1

Representative Puente offered the following amendment to **HB 3216**:

Amend **HB 3216** on third reading by striking SECTION 2 of the bill and renumbering the subsequent SECTIONS accordingly.

Amendment No. 1 was adopted without objection.

HB 3216, as amended, was passed. (Averitt recorded voting no)

HB 3576 ON THIRD READING
(by Stiles)

HB 3576, A bill to be entitled An Act relating to state agencies use of special mail services.

A record vote was requested.

HB 3576 was passed by (Record 419): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keel; Keffer; King; Kruse; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Olivo; Palmer; Pickett; Pitts; Place; Price; Puente; Rabuck; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Shields; Siebert; Smith; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Junell; Oliveira; Serna; Smithee.

Absent — Patterson; Ramsay; Williams.

HB 2705 ON THIRD READING
(by Chisum)

HB 2705, A bill to be entitled An Act relating to the program for the voluntary cleanup of contaminants.

HB 2705 was passed.

HB 21 ON THIRD READING
(by Corte and Maxey)

HB 21, A bill to be entitled An Act relating to liability for the donation of drugs and medical devices to certain nonprofit organizations.

HB 21 was passed.

HB 2474 ON THIRD READING
(by Gallego)

HB 2474, A bill to be entitled An Act relating to appropriations for the preservation, enhancement, and promotion of state historical parks, structures, and sites.

A record vote was requested.

HB 2474 was passed by (Record 420): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Nixon; Oakley; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Shields; Siebert; Smith; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Turner, B.; Turner, S.; Uher; Van de Putte; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Junell; Oliveira; Serna; Smithee.

Absent — Clark; Naishtat; Torres; Walker.

HB 1477 ON THIRD READING
(by Bonnen and Seaman)

HB 1477, A bill to be entitled An Act relating to immunity from liability for the directors of the Texas Catastrophe Property Insurance Association.

HB 1477 was passed.

HB 1453 ON THIRD READING
(by S. Turner, Dukes, and McClendon)

HB 1453, A bill to be entitled An Act relating to the enforcement of certain laws prohibiting employment discrimination by the Commission on Human Rights.

HB 1453 was passed.

HB 3575 ON THIRD READING
(by Brimer, Junell, Counts)

HB 3575, A bill to be entitled An Act relating to the conversion or transfer of the Texas workers' compensation insurance facility.

A record vote was requested.

HB 3575 was passed by (Record 421): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culbertson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Nixon; Oakley; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Shields; Siebert; Smith; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Junell; Oliveira; Serna; Smithee.

Absent — Averitt; Naishtat.

HB 3075 ON THIRD READING
(by Berlanga)

HB 3075, A bill to be entitled An Act relating to the possession of dangerous drugs by a home and community support services agency.

HB 3075 was passed.

HB 2633 ON THIRD READING
(by Brimer)

HB 2633, A bill to be entitled An Act relating to attorney compensation in certain matters; providing civil and criminal penalties.

Amendment No. 1

Representatives Wise and Dunnam offered the following amendment to **HB 2633**:

Amend **HB 2633** on third reading in Section 84.001, as added by SECTION 1 of the bill, between "aspects of a" and "matter that gives rise to" by inserting "criminal".

Amendment No. 1 was adopted without objection.

HB 2633, as amended, was passed.

HB 3512 ON THIRD READING
(by Greenberg, Oliveira, Maxey, Naishtat, et al.)

HB 3512, A bill to be entitled An Act relating to assistance or benefits provided to state employees who lose their jobs as a result of a reduction in force or the privatization of state services or who retire.

HB 3512 was passed.

HB 1327 ON THIRD READING
(by Nixon)

HB 1327, A bill to be entitled An Act relating to the offense of barratry.

HB 1327 was passed.

HB 1659 ON THIRD READING
(by Gallego)

HB 1659, A bill to be entitled An Act relating to personal financial disclosure and standards of conduct for district attorneys and criminal district attorneys.

HB 1659 was passed.

HB 1759 ON THIRD READING
(by Hirschi and Gray)

HB 1759, A bill to be entitled An Act relating to the pesticide use and application program.

HB 1759 was passed.

HB 2909 ON THIRD READING
(by Carter, Chisum, Allen, Hupp, Wilson, et al.)

HB 2909, A bill to be entitled An Act relating to persons eligible for a license to carry a concealed handgun, to the rights and duties of license holders, and to certain offenses involving weapons.

HB 2909 was passed.

HB 2571 ON THIRD READING
(by Berlanga)

HB 2571, A bill to be entitled An Act relating to the substitution of certain drugs by a pharmacist.

HB 2571 was passed. (Chisum, Christian, Finnell, and Keffer recorded voting no)

HB 2913 - VOTE RECONSIDERED

Representative Berlanga moved to reconsider the vote by which **HB 2913** was passed today.

The motion to reconsider prevailed.

HB 2913 ON THIRD READING
(by Berlanga, et al.)

The speaker laid before the house, on its third reading and final passage,

HB 2913, A bill to be entitled An Act relating to the authority of the Health and Human Services Commission to administer and operate the Medicaid managed care program.

HB 2913 was read third time, amended, and was passed earlier today.

A record vote was requested.

HB 2913, as amended, was passed by (Record 422): 129 Yeas, 12 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Howard; Hunter; Hupp; Jackson; Janek; Jones, J.; Kamel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Sadler; Seaman; Shields; Siebert; Smith; Solis; Staples; Stiles; Swinford; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Woolley; Yarbrough; Zbranek.

Nays — Christian; Clark; Galloway; Horn; Isett; Keel; Madden; Marchant; Roman; Solomons; Talton; Wohlgemuth.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Junell; Oliveira; Serna; Smithee.

Absent — Grusendorf; Jones, D.; Wolens.

STATEMENT OF VOTE

When Record No. 422 was taken, I was in the house but away from my desk. I would have voted yes.

Wolens

RULES SUSPENDED

Representative Berlanga moved to suspend the 5-day posting rule to allow the Committee on Public Health to consider **SB 1248**.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

County Affairs, on recess today, Desk 4, to consider pending business.

Select Committee on Revenue and Public Education Funding, on recess today, Desk 102.

Pensions and Investments, on recess today, Desk 54, to consider **SB 397**.

Higher Education, on recess today, Desk 118, to consider **SB 1311**.

Human Services, on recess today, Desk 41, to consider pending business.

Land and Resource Management, on recess today, Desk 112, to consider pending bills.

Conference Committee on **HB 4** and **HJR 4**, 1:30 p.m. today.

Public Health, on recess today, Desk 138, to consider **SB 1248**.

RECESS

Representative Danburg moved that the house recess until 2 p.m. today.

The motion prevailed without objection.

The house accordingly, at 12:33 p.m., recessed until 2 p.m. today.

AFTERNOON SESSION

The house met at 2 p.m. and was called to order by the speaker.

HCR 257 - ADOPTED

(by Holzheuser)

Representative Maxey moved to suspend all necessary rules to take up and consider at this time **HCR 257**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HCR 257

WHEREAS, **HB 3490** has been adopted by the house of representatives and the senate; and

WHEREAS, The bill contains a technical error that should be corrected; now, therefore, be it

RESOLVED, That the enrolling clerk of the house of representatives be hereby instructed to correct House Bill No. 3490 by striking SECTION 3 of the bill, as added by Senate Committee Amendment No. 1, and substituting the following:

SECTION 3. Section 93.042, Natural Resources Code, is amended to read as follows:

Sec. 93.042. PREVENTION OF POLLUTION. This chapter does not limit the commission's authority under this title to prevent pollution, plug wells, or control or clean up oil and gas wastes or other substances or material. The commission, while a well is in the TERRA program, shall assume all well plugging duties for the well and, with the exception of the compliance requirements of a valid TERRA license holder, all pollution prevention and control responsibilities. The commission shall conduct annual inspections and appropriate tests to ensure the continuing integrity of the wellbore. The commission shall keep and retain the necessary records to prove compliance with this requirement.

HCR 257 was adopted without objection.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 2).

MAJOR STATE CALENDAR HOUSE BILLS SECOND READING

The following bills were laid before the house and read second time:

CSHB 772 ON SECOND READING (by D. Jones)

CSHB 772, A bill to be entitled An Act relating to the apportionment of the state into congressional districts.

Amendment No. 1

Representative Pitts offered the following amendment to **CSHB 772**:

Amend **CSHB 772** in Article II of the bill, by striking Sections 6 and 24 and substituting the following:

SECTION 6. District 6 is composed of Dallas County tract 0164.05 and that part of Dallas County tract 0141.12 included in blocks 101 and 102; and that part of Dallas County tract 0154.01 included in block groups 2, 3, 4, and blocks 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, and 121; and that part of Dallas County tract 0164.04 included in block groups 2 and 3 and blocks 101A, 101B, 102A, 102B, 103A, 103B, 104, 105, 199X, and 199Y; Ellis County tract 0602.01; and that part of Ellis County tract 0601 included in blocks 744, 846, 847, and 848; and that part of Ellis County tract 0602.02 included in blocks 103, 104A, 104B, 307, 309, 513, 514, 515, 616, and 617; and that part of Ellis County tract 0602.03 included in block groups 3, 4, 5, and blocks 104A, 104B, 104C, 201A, 201B, 201C, 202A, 202B, 202C, 204A, 204B, 204C, 204D, 204E, 205A, 205B, 206A, 206B, 206C, 207A, 207B, 207C, 208A, 208B, 209, 210, 211, 212, 213, 214, 215A, 215B, 216, 217A, 217B, 218A, 218B, 219A, 219B, 219C, 220, 221A, 221B, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, and 234; and that part of Ellis County tract 0605 included in blocks 101, 109, 110,

111, 112, 113, 114, 115, 118, 124, 127, 128, 201, 202, 203, 204, 205, 206, 208, and 211; and that part of Ellis County tract 0606 included in block groups 2, 5, 6, and blocks 101, 102, 103, 104, 105, 106, 404, 405, 406, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, and 430; and that part of Ellis County tract 0607 included in block groups 2, 3, 4, 5, and blocks 101, 102, 103A, 103B, 103C, 103D, 103E, 104A, 104B, 104C, 105A, 105B, 105C, 106A, 106B, 106C, 106D, 106E, 107A, 107B, 107C, 107D, 107E, 107F, 108, 109A, 109B, 109C, 109D, 109E, 109F, 109G, 109H, 109J, 110A, 110B, 110C, 119A, 119B, 120, 121, 122, 123, 126, 127A, 127B, 128, 129A, 129B, 130A, 130B, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143A, 143B, 143C, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163A, 163B, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, and 199; and that part of Ellis County tract 0608 included in block groups 1, 3, 4, 5, and blocks 208A, 208B, 208C, 209A, 209B, 209C, 209D, 210A, 210B, 210C, 211, 212, 213A, 213B, 214, 215A, 215B, 215C, 216, 217, 218, 219, 220, 221, 222A, 222B, 222C, 223, 224A, 224B, 225, 226, 227, 229, 244, and 299; and that part of Ellis County tract 0609 included in blocks 102A and 102B; and that part of Ellis County tract 0613 included in blocks 102A, 102B, 102C, 105, 107, 112, 113, 114, 118, 119, 121, 122, 123, 124, 131A, 131B, 143A, 143B, 143C, and 199Z; and that part of Ellis County tract 0614 included in blocks 103A, 103B, 103C, 103D, 103E, 103F, 103G, 103H, 103J, 104A, 104B, 104C, 105, 106, 107, 108, 109, 110, 111, 117, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 199C, 199D, 324, 332, 333, 334, 335, 418, 419, and 421; and that part of Ellis County tract 0615 included in blocks 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 125, 132, 133, 134, 201, 202, 203, 204, 205, 206, 207, 208, 212, 213, 214, and 215; and that part of Johnson County tract 1302.01 included in block group 1 and blocks 201, 203, 204, 205, 206, 207, 208, 301, 302, 303, 304, 305, 307, 308, 309, 310, 401, 402, 403, 404, 409, 410, 411, 412, 413, 414, 415, 501, 502, 503, 504, 505, 506, 515, and 516; and that part of Johnson County tract 1302.02 included in block groups 1, 6, 7, 8, and blocks 204, 208, 209, 210, 211, 212, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 410, 504, 505, 506, 507, 901, 902, 903A, 903B, 903C, 904A, 904B, 905A, 905B, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934A, 934B, 935, 936A, 936B, 937, 938A, 938B, and 939; and that part of Johnson County tract 1302.03 included in block groups 5 and 6 and blocks 401, 402, 403, 419, 420, 421, 422, 423, 424, 425, 427, 428, 701A, 701B, 701C, 702, 703, 704A, 704B, 704C, 704D, 705A, 705B, 705C, 705D, 705E, 705F, 706, 707, 708, 709, 710, 711A, 711B, 711C, 712, 713A, 713B, 714, 715A, 715B, 716A, 716B, 717A, 717B, 722, 723, 724, 725, 726, 727A, 727B, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 742A, 742B, 743, 799, 801, 802, 803, 804, 805, 806, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, and 923; and that part of Johnson County tract 1303 included in block groups 1, 2, 5, and blocks 601, 602A, 602B, 603, 607, 608A, 608B, 608C, 609A, 609B, 610A, 610B, 610C, 611A, 611B, 618A, and 618B; and that part of Johnson County tract 1304.01 included in block groups 2 and 3 and blocks 108, 109, 113, 118, 119, 602, 603, and 605; and that part

of Johnson County tract 1304.04 included in blocks 312, 313, and 315; and that part of Parker County tract 1401 included in blocks 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436A, and 436B; and that part of Parker County tract 1404.01 included in block groups 7 and 8 and blocks 601A, 601B, 603, 605, 606, 607, 608, 609, 610, 611, 612, 613, 633, 634, 635, 636, 637, 675A, 675B, 676A, 676B, 677A, 677B, 677C, 680A, 680B, 680C, 691A, 691B, 692A, 692B, 693A, 693B, 696, and 697; and that part of Parker County tract 1404.02 included in blocks 233, 234, 236, 237, 247, 248, 249, 250, 251, 401, 412A, 412B, 412C, 413, 416, 417, 418, 419, 420, 421, 422, 423A, 423B, and 423C; and that part of Parker County tract 1407 included in block groups 2, 3, 6, and blocks 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 401A, 401B, 402A, 402B, 403A, 403B, 403C, 403D, 404A, 404B, 405, 406A, 406B, 406C, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421A, 421B, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 455, 456, 457, 496, 497, 501A, 501B, 501C, 501D, 501E, 502A, 502B, 503A, 503B, 504, 505A, 505B, 505C, 505D, 506A, 506B, 506C, 507, 508A, 508B, 508C, 509A, 509B, 509C, 510, 511A, 511B, 511C, 512, 513A, 513B, 513C, 513D, 513E, 514A, 514B, 514C, 514D, 515A, 515B, 516A, 516B, 517A, 517B, 517C, 518, 519A, 519B, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532A, 532B, 533, 534A, 534B, 535A, 535B, 536A, 536B, 536C, 536D, 536E, 536F, 536G, 536H, 537, 538A, 538B, 538C, 539A, 539B, 540A, 540B, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556A, 556B, 556C, 556D, 556E, 556F, 557A, 557B, 558A, 558B, 559A, 559B, 560A, 560B, 561A, 561B, 561C, 562A, 562B, 562C, 563A, 563B, 563C, 564, 565A, 565B, 566, 567A, 567B, 567C, 567D, 567E, 568, 569A, 569B, 570A, 570B, 571A, 571B, 571C, 572, 573A, 573B, 574A, 574B, 575A, 575B, 575C, 576A, 576B, 577A, 577B, 578, 579, 580A, 580B, 581, 582A, 582B, 583, 584, 585, 586A, 586B, 587, 588A, 588B, 589, 592, 593, 594, 595, 596, and 597; Tarrant County tracts 1024.02, 1051, 1054.05, 1054.06, 1055.02, 1055.03, 1055.05, 1055.06, 1055.07, 1055.08, 1055.10, 1057.01, 1057.03, 1065.02, 1065.06, 1065.07, 1065.11, 1108.01, 1108.04, 1109.03, 1109.05, 1109.07, 1113.04, 1114.02, 1115.05, 1115.06, 1115.12, 1115.13, 1115.14, 1115.15, 1115.16, 1115.17, 1115.18, 1115.19, 1115.28, 1115.29, 1115.30, 1115.31, 1115.32, 1115.33, 1115.34, 1130.01, 1131.01, 1131.02, 1131.03, 1131.04, 1131.05, 1131.06, 1131.07, 1131.08, 1132.07, 1132.08, 1135.07, 1135.08, 1136.07, 1136.09, 1136.10, 1136.12, 1136.13, 1136.14, 1136.15, 1136.16, 1136.17, 1136.18, 1138.01, 1138.03, 1138.04, 1138.05, 1139.04, 1139.05, 1216.06, 1216.08, 1216.09, 1216.10, 1216.11, and 1225; and that part of Tarrant County tract 1012.01 included in blocks 201, 219, and 223; and that part of Tarrant County tract 1014.01 included in block groups 3 and 4 and blocks 201, 202, 203, 208, 502, 503, 504, 505, 506, 507, 508, 509, 511, 512, 513, 514, and 515; and that part of Tarrant County tract 1015 included in block group 1; and that part of Tarrant County tract 1022.01 included in block 303; and that part of Tarrant County tract 1024.01 included in block groups 1, 3, 4, 6, and blocks 201, 202, 203, 204, 206, 207, 209, 210, 211, 212, 213, 216, 503, 504, 505, and 506; and that part of Tarrant County tract 1042.02 included in blocks 412 and 421; and that

part of Tarrant County tract 1048.01 included in blocks 210, 713, 801, 802, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, and 824; and that part of Tarrant County tract 1048.02 included in blocks 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 122, 123, 125, 126, 127, 128, 129, 130, 131, 132, 133, 401, 402, 403, 404, 406, 407, 408, 409, and 410; and that part of Tarrant County tract 1054.04 included in block groups 4 and 5 and blocks 307, 308, 309, 310, 311, 316, 317, and 318; and that part of Tarrant County tract 1055.09 included in block groups 3 and 4; and that part of Tarrant County tract 1065.08 included in block group 1; and that part of Tarrant County tract 1065.09 included in block group 2; and that part of Tarrant County tract 1065.10 included in block groups 1 and 2 and block 301; and that part of Tarrant County tract 1102.01 included in block group 1; and that part of Tarrant County tract 1109.01 included in block group 3 and blocks 203, 204, 205, 206, 207, 401A, 401B, 401C, 402, 403A, 403B, 404, 405, 406, 407, 408, 409, 410, 413, 414, 415A, 415B, 416A, 416B, 417A, 417B, 418, 419, 420, and 421; and that part of Tarrant County tract 1109.04 included in blocks 101A, 101B, 102, 103, 104, 105, 106A, 106B, 107, 108, 109A, 109B, 110A, 110B, 111, 112A, 112B, 112C, 113, 114, 117, 118A, 118B, 118C, 119A, 119B, 120A, 120B, 121, and 122; and that part of Tarrant County tract 1109.06 included in blocks 103, 104, 105, 106, 109, 410, 411, 412, 413A, 413B, 413C, 413D, 413E, 413F, 414A, 414B, 415A, 415B, 415C, 416, 417, and 499Y; and that part of Tarrant County tract 1110.07 included in block group 6 and blocks 404A, 404B, 404C, 412A, 412B, 413, and 414; and that part of Tarrant County tract 1110.09 included in blocks 101A, 101B, 101C, 101D, 101E, 101F, 104A, 104B, 105, 106A, 106B, 107, 108, and 109; and that part of Tarrant County tract 1110.10 included in blocks 201, 202A, 202B, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 242, 243, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, and 299Z; and that part of Tarrant County tract 1112.01 included in blocks 314A, 314B, and 316; and that part of Tarrant County tract 1113.03 included in block group 1 and blocks 201A, 201B, 202, 203, 204, 205, 206, 207, 208, 209, 210, 213A, 214, 215, 216, 217A, 217B, 218, 219, 220, 233, 234, 237, 299T, 299Y, and 299Z; and that part of Tarrant County tract 1113.05 included in blocks 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 114, 115, and 116; and that part of Tarrant County tract 1114.01 included in block group 1 and blocks 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212A, 212B, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, and 236; and that part of Tarrant County tract 1114.03 included in block 127; and that part of Tarrant County tract 1115.24 included in block 401; and that part of Tarrant County tract 1115.26 included in block group 3 and blocks 101, 103, 104, 105, 106, 107, 108, 202, 203, 204, 205, 206A, 206B, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, and 219; and that part of Tarrant County tract 1115.27 included in block groups 1, 2, 3, 4, 6, and blocks 507, 508, 509, 510, 511, 512, 513, 514, and 515; and that part of Tarrant County tract 1132.05 included in block groups 3 and 5 and blocks 201, 202, 203, 204, 205, 206, 207, 213, 404, 406, 407, 408, 409, 413A, 413B, 415A, 415B, 416,

417, 418A, 418B, 419, 420, 421A, 421B, 422A, 422B, 423A, 423B, 424, 425, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 703, 704, 705, 706, 707, 708, 709, 710, 712, 713, 714, 715, 716, 717, and 718; and that part of Tarrant County tract 1132.09 included in block groups 1, 2, 4, and blocks 301, 302, 303, 304, 305, 306, 307, 308, 309, 312, 313, 314, 315, 316, 318, 319, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, and 514; and that part of Tarrant County tract 1132.10 included in block group 1 and blocks 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 301, 302, 303, 304, 305, 306, 307, 308, and 309; and that part of Tarrant County tract 1134.03 included in blocks 101A, 101B, 102, 103, 104A, 104B, 105, 106, 107, 108, 109, 110, 111, 112, 113, and 135; and that part of Tarrant County tract 1134.04 included in block group 1; and that part of Tarrant County tract 1134.07 included in blocks 305A and 305B; and that part of Tarrant County tract 1135.04 included in block groups 1 and 6; and that part of Tarrant County tract 1135.05 included in block groups 1, 2, 3, 4, 5, and blocks 601, 602, 603, 609, 610, 611, and 612; and that part of Tarrant County tract 1135.06 included in block groups 1 and 7; and that part of Tarrant County tract 1136.11 included in block groups 1, 2, 3, and blocks 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 416A, 416B, 416C, 502, and 503; and that part of Tarrant County tract 1136.19 included in block groups 1, 2, and 4; and that part of Tarrant County tract 1137.02 included in blocks 151, 152, 154, 155, 156, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168A, 168B, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181A, 181B, 181C, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, and 512; and that part of Tarrant County tract 1139.01 included in block 312; and that part of Tarrant County tract 1139.02 included in block groups 3 and 5 and blocks 204A, 204B, 205A, 205B, 205C, 206, 207, 208A, 208B, 208C, 220, 221, 222, 223, 224, 225, 226, 402, 403, 404, 405, 409, 411A, and 411B; and that part of Tarrant County tract 1139.03 included in block groups 1 and 3 and blocks 201A, 201B, 201C, 201D, 201E, 202A, 202B, 203, 219A, 219B, 220A, 220B, 220C, 221, 222, 223, 224A, 224B, 225, 226, 227, 228, 229, 230, 231, 232, and 233; and that part of Tarrant County tract 1141.01 included in blocks 101, 102, 103A, 103B, 103C, 104, 105, 106, 107, 133A, 133B, 134, 135, 136, 137, 201, 202A, 202B, 202C, 203A, 203B, 203C, 301A, 301B, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315A, 315B, 316A, 316B, 317A, 317B, 341, 342, 399Y, and 399Z; and that part of Tarrant County tract 1141.02 included in block groups 1, 2, 3, 4, 5, 6, and block 703; and that part of Tarrant County tract 1142.02 included in blocks 141, 142, 143, 144A, 144B, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, and 168; and that part of Tarrant County tract 1142.03 included in blocks 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, and 121; and that part of Tarrant County tract 1142.04 included in blocks 101, 102, 103A, 103B, 104A, 104B, 104C, 105, 106, and 108; and that part of Tarrant County tract 1216.01 included in block groups 1 and 2 and blocks 301, and 302; and that part of Tarrant County tract 1216.04 included in block groups 1 and 2; and that part of Tarrant County tract 1226 included in block groups 1, 3, 4, and blocks 201, 202, 203, 204, 205, 206, 207, 208, 209, 210,

211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 222, 223, and 224; and that part of Tarrant County tract 1227 included in blocks 501, 504, and 506; and that part of Tarrant County tract 1228 included in block groups 1 and 5 and blocks 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 306, 308, and 309.

SECTION 24. District 24 is composed of Navarro County; Dallas County tracts 0042, 0044, 0045, 0046, 0047, 0050, 0051, 0052, 0053, 0063.02, 0064, 0065.01, 0067, 0068, 0069, 0107.01, 0107.02, 0154.02, 0155, 0159, 0160, 0161, 0162, 0163, 0164.01, 0164.02, 0164.03, 0165.02, 0165.05, 0165.08, 0165.09, 0165.10, 0165.11, 0165.12, 0165.13, 0166.04, 0166.13, 0169.04, and 0199; and that part of Dallas County tract 0020 included in block groups 3, 4, 7, 8, and blocks 201, 202, 203, 210, 218, 219, 220, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 606, 607, 608, 609, 610, 611, 612, and 613; and that part of Dallas County tract 0048 included in block groups 2, 3, 4, and blocks 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, and 124; and that part of Dallas County tract 0062 included in block group 3 and blocks 110, 111, 112, 115, 116, 117, 201, 202, 203, 204, 205, 206, 209, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, and 227; and that part of Dallas County tract 0065.02 included in block groups 1 and 2 and blocks 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, and 317; and that part of Dallas County tract 0108.01 included in block groups 2, 3, 4, and block 105; and that part of Dallas County tract 0108.03 included in blocks 503 and 504; and that part of Dallas County tract 0154.01 included in block group 6; and that part of Dallas County tract 0156 included in block groups 2 and 3 and blocks 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, and 119; and that part of Dallas County tract 0157 included in block group 2 and blocks 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, and 128; and that part of Dallas County tract 0158 included in block group 2 and blocks 103, 104, 105A, 105B, 105C, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116A, 116B, 117A, 117B, 118A, 118B, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132A, 132B, 132C, 133A, 133B, 134A, 134B, 135A, 135B, 136A, 136B, 137, 138A, 138B, 139, and 140; and that part of Dallas County tract 0164.04 included in block 199Z; and that part of Dallas County tract 0165.01 included in block groups 3 and 4 and blocks 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 199, 204, 205, and 206; and that part of Dallas County tract 0166.06 included in block groups 3, 4, 6, and blocks 201B, 202B, 203, 204, 205, 206, 207, 208, 209, 210, 503A, 503B, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515A, 515B, 517, 518, 519, and 520; and that part of Dallas County tract 0166.08 included in block groups 4 and 6 and block 515; and that part of Dallas County tract 0166.11 included in block groups 2, 3, 4, and blocks 101, 102, 105, 106, 107, 108, 110, 111, 112, 113, 114, 115, 116, 117, and 118; and that part of Dallas County tract 0166.12 included in block groups 2, 3, 5, 6, and block 408; and that part of Dallas County tract 0167.02 included in blocks 134, 135, 136, 539, 540, 901, 902, 903, 904, 905, 906, 907,

908, 909, 910, 911, 912, 913, 914, 916, 917, 918, 919, 920, and 921; and that part of Dallas County tract 0168.01 included in block groups 1, 2, 7, and blocks 301, 302, 303, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, and 323; and that part of Dallas County tract 0168.02 included in block groups 1, 2, 3, 5, and blocks 402B, 403, 404A, 404B, 405, 406, 407, and 408; and that part of Dallas County tract 0169.03 included in block groups 1, 2, 4, 5, and blocks 304B, 304C, 304E, 305, 306, 307A, 307B, 308A, 308B, 308C, 309A, 309B, 310, 311, 312, 313, 314A, 314B, 315A, 315B, 316A, 316B, and 316C; Ellis County tracts 0603, 0604, 0610, 0611, 0612, 0616, and 0617; and that part of Ellis County tract 0601 included in block groups 1, 2, 3, 4, 5, 6, and blocks 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 801, 802A, 802B, 803A, 803B, 804A, 804B, 805A, 805B, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827A, 827B, 828A, 828B, 829A, 829B, 830A, 830B, 831A, 831B, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842A, 842B, 842C, 843A, 843B, 844, 845, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874A, 874B, 875, and 876; and that part of Ellis County tract 0602.02 included in block groups 2 and 4 and blocks 101, 102, 105, 106, 107, 108, 109A, 109B, 109C, 109D, 110A, 110B, 111, 301, 302A, 302B, 303, 304A, 304B, 304C, 304D, 305, 306, 308, 310, 311, 312, 313, 314, 315, 316, 317, 318, 501A, 501B, 502, 503A, 503B, 503C, 504A, 504B, 505A, 505B, 506, 507A, 507B, 508, 509, 510, 511A, 511B, 512, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615A, 615B, 615C, 615D, 618A, and 618B; and that part of Ellis County tract 0602.03 included in blocks 101A, 101B, 102A, 102B, 103A, 103B, 103C, 105, and 203; and that part of Ellis County tract 0605 included in block group 3 and blocks 102, 103, 104, 105, 106, 107, 108, 116, 117, 119, 120, 121, 122, 123, 125, 126, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 207, 209, 210, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, and 229; and that part of Ellis County tract 0606 included in block group 3 and blocks 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 401, 402, 403, 407, 408, 409, 410, 411, and 412; and that part of Ellis County tract 0607 included in blocks 111A, 111B, 112A, 112B, 112C, 112D, 113, 114, 115, 116, 117A, 117B, 118, 124, 125A, and 125B; and that part of Ellis County tract 0608 included in blocks 201, 202, 203, 204A, 204B, 204C, 205A, 205B, 205C, 206, 207A, 207B, 207C, 207D, 207E, 228A, 228B, 230A, 230B, 230C, 230D, 230E, 231, 232, 233, 234, 235, 236A, 236B, 237A, 237B, 238A, 238B, 239A, 239B, 240, 241, 242, and 243; and that part of Ellis County tract 0609 included in block group 2 and blocks 101, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129A, 129B, 130, 131, 132, 133, 134A, 134B, 135A, 135B, 136A, 136B, 137A, 137B, 138A, 138B, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160A, 160B, 161A, 161B, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188A, 188B, 189A,

189B, 190, 191, 192, 193, 194, 195, 196, 197, and 199; and that part of Ellis County tract 0613 included in blocks 101A, 101B, 101C, 103, 104A, 104B, 104C, 106, 108A, 108B, 108C, 108D, 108E, 109A, 109B, 109C, 109D, 109E, 110A, 110B, 110C, 110D, 110E, 111, 115, 116, 117, 120, 125, 126, 127, 128, 129, 130, 132, 133, 134, 135, 136, 137A, 137B, 137C, 137D, 137E, 138A, 138B, 139, 140A, 140B, 140C, 140D, 141A, 141B, 141C, 141D, 141E, 141F, 141G, 142A, 142B, 144A, 144B, 144C, 144D, 145A, 145B, 145C, 145D, 145E, 145F, 146, 147A, 147B, 148A, 148B, 148C, 148D, 148E, 149, 150A, 150B, 151, 152A, 152B, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 199, and 199Y; and that part of Ellis County tract 0614 included in block group 2 and blocks 101A, 101B, 101C, 102A, 102B, 102C, 112, 113, 114, 115, 116, 118, 119, 120, 121, 122, 123, 124, 125, 126, 199A, 199B, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 325, 326, 327, 328, 329, 330, 331, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 420, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, and 438; and that part of Ellis County tract 0615 included in block group 3 and blocks 124, 126, 127, 128, 129, 130, 131, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 209, 210, 211A, 211B, 211C, 211D, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, and 237; Tarrant County tracts 1013.02, 1016, 1033, 1035, 1036.01, 1036.02, 1037.01, 1037.02, 1038, 1039, 1046.01, 1046.02, 1046.03, 1046.04, 1046.05, 1059, 1061.01, 1061.02, 1062.01, 1062.02, 1063, 1064, 1111.01, 1111.02, 1113.06, 1115.11, 1115.21, 1115.22, 1115.23, 1115.25, 1115.35, 1130.02, 1216.05, 1217.01, 1217.02, 1218, 1219.01, 1219.02, 1220, 1221, 1222, 1223, 1224, and 1229; and that part of Tarrant County tract 1034 included in block groups 1 and 2 and blocks 301, 302, 303, 304, 305, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, and 325; and that part of Tarrant County tract 1045.03 included in blocks 221 and 222; and that part of Tarrant County tract 1060.02 included in block groups 2 and 3 and blocks 101A, 101B, 101C, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, and 123; and that part of Tarrant County tract 1113.01 included in blocks 101A, 101B, 102, 103, 104, 115, 116, 118, 309A, and 309B; and that part of Tarrant County tract 1113.03 included in blocks 211, 212, 213B, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 235, 236, and 299U; and that part of Tarrant County tract 1113.05 included in block groups 2, 3, 4, and blocks 111, 113, 117, and 118; and that part of Tarrant County tract 1114.01 included in blocks 234A, 234B, 235, 237A, 237B, 238, 239, 240, 241, and 242; and that part of Tarrant County tract 1114.03 included in block groups 2 and 3 and blocks 101, 102A, 102B, 103A, 103B, 103C, 103D, 103E, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120A, 120B, 120C, 120D, 120E, 120F, 121A, 121B, 121C, 121D, 122, 123A, 123B, 124A, 124B, 125A, 125B, 125C, 126A, 126B, and 126C; and that part of Tarrant County tract 1115.24 included in block groups 1, 2, 3, 5, 6, and blocks 402, 403, 404, 405, and 406; and that part of Tarrant County tract 1115.26 included in blocks 102 and 201; and that part of Tarrant County tract 1115.27 included in blocks

501, 502, 503, 504, 505, and 506; and that part of Tarrant County tract 1216.01 included in block groups 4 and 5 and blocks 303, 304, 305, 306, 307, 308, 309, 310, and 311; and that part of Tarrant County tract 1216.04 included in block groups 3, 4, and 5; and that part of Tarrant County tract 1226 included in block 221; and that part of Tarrant County tract 1227 included in block groups 1, 2, 3, 4, and blocks 502, 503, and 505; and that part of Tarrant County tract 1228 included in block groups 4, 6, 7, and blocks 211, 301, 302, 303, 304, 305, and 307.

Representative D. Jones moved to table Amendment No. 1.

The motion to table was lost.

(Smithee now present)

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Davila offered the following amendment to **CSHB 772**:

Amend **CSHB 772** in Article II of the bill by striking Sections 7, 8, 9, 18, 22, 25, and 29 and substituting the following:

SECTION 7. District 7 is composed of Harris County tracts 0403, 0404.01, 0404.02, 0405.01, 0405.02, 0406.10, 0406.20, 0406.30, 0407.01, 0407.02, 0408, 0409, 0410, 0411, 0412.01, 0412.02, 0413.01, 0413.02, 0413.03, 0414.01, 0415.01, 0416.03, 0416.04, 0416.05, 0417.01, 0417.02, 0418.02, 0419.02, 0419.03, 0420.01, 0420.02, 0420.03, 0421, 0422.01, 0422.02, 0422.03, 0422.04, 0428.01, 0438.12, 0438.13, 0438.22, 0438.23, 0438.32, 0438.42, 0439.01, 0439.97, 0439.98, 0440.01, 0440.02, 0440.03, 0440.04, 0440.05, 0440.06, 0444.01, 0444.02, 0445.01, 0445.02, 0446.03, 0446.22, 0447.01, 0447.02, 0447.03, 0450, 0451.12, 0451.22, 0538.11, 0538.21, 0540.12, 0541.10, 0541.20, 0541.30, 0542.11, 0542.97, 0542.98, 0543, 0544, 0545.01, 0545.12, 0545.22, 0545.32, 0546, 0547.98, 0548.98, 0549, 0550, 0551.01, 0551.12, and 0551.22; and that part of Harris County tract 0401.02 included in blocks 113, 114, and 218; and that part of Harris County tract 0402.01 included in block groups 4, 5, 6, and blocks 711, 712, 713, 714, 715, and 716; and that part of Harris County tract 0402.02 included in block group 3 and blocks 118, 122, 123, 124, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 401, 402, 405, 406, 407, 408, 409, 412, 413, 414, 415, 416, 417, 420, 421, 422, 423, 426, 427, 428, 429, and 430; and that part of Harris County tract 0414.02 included in block 104; and that part of Harris County tract 0415.02 included in block group 2 and blocks 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, and 115; and that part of Harris County tract 0415.04 included in block groups 7 and 8 and blocks 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 615, 616, 617, 618, and 619; and that part of Harris County tract 0416.02 included in block groups 4, 5, 6, and blocks 702, 703, and 704; and that part of Harris County tract 0419.01 included in blocks 101, 102, 103, 104, 105, 106, 107, and 108; and that part of Harris County tract 0423.03 included in blocks 301, 302, 305, 306, 310, and 426; and that part of Harris

County tract 0423.04 included in block group 2 and blocks 101, 102, 103, 104, 106, 107, 124, 315, and 401; and that part of Harris County tract 0423.05 included in blocks 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 203, 204, 205, and 211; and that part of Harris County tract 0423.06 included in blocks 411, 412, 415, and 416; and that part of Harris County tract 0425.03 included in block group 5 and blocks 115, 118, 119, 120, 121, 122, 123, 124, 125, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, and 621; and that part of Harris County tract 0425.04 included in block 114; and that part of Harris County tract 0426.02 included in block groups 1 and 2 and blocks 301, 302, 303, 304, 305, 307, 308, 309, 310, 311, 312, 405, 410, 411, 412, 501, 502, 504, 505, 506, 507, 508, 509, 510, 511, and 512; and that part of Harris County tract 0427.01 included in block groups 2, 3, 4, and blocks 101, 103, 104, 105, 106, 107, 108, 109, 110, and 605; and that part of Harris County tract 0429 included in block groups 1, 2, 4, and 5; and that part of Harris County tract 0441.01 included in block groups 2 and 5 and blocks 301, 302, 303, 304, 305, 306, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, and 419; and that part of Harris County tract 0443.05 included in blocks 402, 403, 404, 405, 406, 408, 409, 411, 412, 414, 419, 420, and 431; and that part of Harris County tract 0443.06 included in block groups 4 and 5 and blocks 601, and 602; and that part of Harris County tract 0444.03 included in block groups 1, 3, 5, 6, and blocks 207, 209, 210, 211, 212, 213, 214, 215, and 217; and that part of Harris County tract 0444.04 included in block groups 2, 4, 5, 6, and blocks 303, 307, 308, 309, 310, 311, 312, 313, 314, 317, 318, 319, and 320; and that part of Harris County tract 0446.12 included in block groups 6, 7, 8, and blocks 903, 904, 905, 906A, and 906B; and that part of Harris County tract 0448 included in blocks 901, 902, 903A, 903B, 904, 905, 906, 907, 908, 909, 910, 911, 913, and 914A; and that part of Harris County tract 0449.20 included in blocks 804A and 804B; and that part of Harris County tract 0451.01 included in blocks 402, 403, 404, 405, 406, 407, 408, and 409; and that part of Harris County tract 0451.32 included in block groups 1, 2, 3, 4, 5, and 6; and that part of Harris County tract 0452.12 included in blocks 901, 902, 917, and 918; and that part of Harris County tract 0452.22 included in block groups 1 and 3 and blocks 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 213, 214, and 215; and that part of Harris County tract 0515.01 included in block group 9 and blocks 217, 218, 322, 407, 408, 409, 410, 411, 416, 417, 418, 419, 420, 421, 422, 424, 427, 428, 429, 430, 431, 432, 504, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, and 521; and that part of Harris County tract 0516.01 included in blocks 410 and 415; and that part of Harris County tract 0529.01 included in blocks 502A, 502B, 503, and 533; and that part of Harris County tract 0530.02 included in blocks 204, 205, 206, 207, 208, 209, 221, 222, and 223; and that part of Harris County tract 0530.03 included in block groups 3, 4, 6, and blocks 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 216, 217, 502B, 502D, 512, 513, 514, 515, 516, 517A, 517B, 518, 519, 520, 521, 522, 523, 524A, 524B, 525A, 525B, 526, and 527; and that part of Harris County tract 0538.12 included in block groups 5, 6, 7, and blocks

402, and 403; and that part of Harris County tract 0538.22 included in block groups 2 and 4 and blocks 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, and 517; and that part of Harris County tract 0539 included in block group 5 and blocks 101, 104, 105, 106, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 401A, 401B, 402, 403A, 403B, 404A, 404B, 405A, 405B, 406A, 406B, 407A, 407B, 408, 409, and 410; and that part of Harris County tract 0540.01 included in blocks 302, 308, 309, 318, 319, 320, 321, 322, 324, 325, 326, 327, and 328; and that part of Harris County tract 0540.22 included in blocks 501, 502A, and 502B; and that part of Harris County tract 0542.02 included in block groups 3 and 4 and blocks 101, 102A, 102B, 106, 107, 108, 109, 110, 113, 114, 115, 116A, 116B, 117, 118B, 120, 121, 205B, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, and 233; and that part of Harris County tract 0552 included in blocks 101A, 101B, 102, 103A, 103B, 104A, 104B, 105A, 105B, 106, 107, 108, 109, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 134, 136, 217, 218, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 234, 235, 236, 237, 238, 239, 240, 241, 242, and 301B; and that part of Harris County tract 0555.12 included in blocks 102A, 102B, 103A, 103B, 104, 105, 106, 107, 108A, 108B, 109A, 109B, 110A, 110B, 111, 112, 113, 199, 201, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, and 228; and that part of Harris County tract 0555.22 included in block groups 4 and 5; and that part of Harris County tract 0555.32 included in blocks 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, and 424.

SECTION 8. District 8 is composed of Washington County; Austin County tracts 1604 and 1605; and that part of Austin County tract 1602 included in blocks 101, 102, 103, 104, 105, 106, 107, 108A, 108B, 109, 110, 111, 112, 113, 114, 115, 116, 119A, 119B, 123A, 123B, 123C, 124, 125, 126, 127, 128, 129, 130, 131A, 131B, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142A, 142B, 143, 144A, 144B, 145, 146, 147, 148, 149, 150, 151, 152, 153, 199Z, 226, 302A, 302B, 302C, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345A, 345B, 346, 347, 348A, 348B, 348C, 349A, 349B, 352, 353, and 354; and that part of Austin County tract 1603 included in block groups 1 and 4 and blocks 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272A, 272B, 272C, 273, 274, 276, 277, 294, 295, 296, 297, 299, 301, 302, 303, 304, 305, 307, 308A, 308B, 309, 310A, 310B, 311, 313, 314A, 314B, 318, 319, 320, 321, 322, 323, 324, 325, 326, 328, 329, and 330; Brazos County tracts 0002.01, 0010, 0011, 0013, 0014, 0015, 0016.01, 0016.02, 0017, 0018, 0019, 0020, and 2005; and that part of Brazos County tract 0001 included in block groups 1, 4, 5, 6, and blocks 201, 202, 203, 204, 205, 208, 209, 210, 215, 224A, 224B, 301, 302, 303, 304, 305A, 305B, 305C,

305D, 305E, 306, 307, 308, 309, 310, 312, 313, 314, 315, 316, 330A, 330B, 331, 332, 333, 334, 335, 336, and 337; and that part of Brazos County tract 0002.02 included in block group 3 and blocks 101, 102, 103, 104, 114, 116, 117, 118, 119, 120, 208A, 208B, 209, 210, 211, 212, 213, 214, 215, 260A, 260B, 261A, 261B, 261C, 261D, 261E, 261F, 261G, 262, 263, and 264; and that part of Brazos County tract 0003 included in block groups 1 and 2 and blocks 301, 302, 303, 305, 306, 307, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 401, 402, 403, 404, 406, 501, 502, 503, 504, 505, 506, 507, 508, and 509; and that part of Brazos County tract 0004 included in blocks 103, 419, 422, 423, 424, 425, 427, 428, 429, 430, 434, and 435; and that part of Brazos County tract 0006.01 included in blocks 140, 144, 145, 146, and 149; and that part of Brazos County tract 0006.04 included in blocks 408, 409, 410, 411, 412, and 413; and that part of Brazos County tract 0007 included in blocks 301, 302, 303, 304, 305, 306, 307, 308, 309, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 414, 415, 416, 420, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, and 511; and that part of Brazos County tract 0008 included in block groups 2, 3, 4, 5, 6, and blocks 102, 103, 107, 108, 109, 110, 111, 112, 113, 114, and 115; and that part of Brazos County tract 0009 included in block group 3 and blocks 102, 103, 104, 116, 219, 402, 403, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 501, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, and 515; Harris County tracts 0244.01, 0244.12, 0244.22, 0245.12, 0246, 0248, 0249.01, 0249.03, 0249.12, 0249.22, 0249.32, 0250, 0251, 0536.02, 0536.11, 0536.21, 0537.01, 0537.12, 0538.31, 0553, 0554, 0555.01, 0556.01, 0556.12, 0556.22, 0557, 0558.01, 0558.12, 0558.22, 0559.01, and 0559.02; and that part of Harris County tract 0242 included in block group 1 and blocks 201, and 202; and that part of Harris County tract 0243 included in blocks 202A, 202B, and 202C; and that part of Harris County tract 0245.22 included in block groups 3 and 4 and blocks 201A, 201B, 205, 206, 207, and 209; and that part of Harris County tract 0247.10 included in blocks 103, 201, 202, 203, 204, 205, 206, 208, 209, 212, and 213; and that part of Harris County tract 0253 included in block group 1 and blocks 201A, 201B, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211A, 211B, 211C, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 234, 235, 236, 237, 238, 299, 401A, 401B, 401C, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 425, 429A, 429B, 430, 431, 432, 433A, 433B, 434A, 434B, 612, 613, 623, 625, 626, 627, 628, 629, 631, 633, 634, 702, 714, and 715; and that part of Harris County tract 0535.10 included in block groups 1 and 2; and that part of Harris County tract 0537.22 included in block groups 1, 2, and 3; and that part of Harris County tract 0538.12 included in block groups 1, 2, 3, and blocks 401, 404, and 405; and that part of Harris County tract 0538.22 included in block group 1 and block 501; and that part of Harris County tract 0552 included in blocks 110, 133, 201A, 201B, 202, 203, 204, 205, 206A, 206B, 206C, 207A, 207B, 208, 209, 210, 211, 212, 213A, 213B, 214, 215, 216, 219, 220, 221, 233, 301A, 301C, 302, 303, 304, 305, 306, 307A, 307B, 308, 309, and 310; and that part of Harris County tract 0555.12 included in blocks 101 and 202; and that part of Harris County tract 0555.22 included in block groups 1, 2, 3, and 6; and that part of Harris County tract 0555.32

included in block groups 1 and 2 and blocks 301, 302, 303, 401, 402, 403, 404, and 405; Montgomery County tracts 0901.01, 0901.03, 0901.12, 0901.22, 0902.01, 0902.02, 0902.04, 0902.05, 0902.06, 0902.13, 0902.17, 0902.23, 0902.27, 0902.37, 0902.47, 0903.02, 0903.11, 0903.21, 0904, 0905, 0906.11, 0906.13, 0906.31, 0907.02, 0907.03, 0908.01, 0908.02, 0908.03, 0909, 0910.20, 0912.01, and 0912.02; and that part of Montgomery County tract 0906.02 included in block groups 1, 2, 3, 4, and blocks 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 514, 515, 516, 517, 520, 521, 522, 523, 524, 525, 526, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 543, 545, and 546; and that part of Montgomery County tract 0906.23 included in blocks 407, 408, 410, 411, 412, 413, 414, and 415; and that part of Montgomery County tract 0907.01 included in block group 7 and blocks 601, 602, 603, 604A, 604B, 605, 606, 607B, 609, 610, 611, 612, 613, 614, 615, 616, 625, 626, and 627; and that part of Montgomery County tract 0910.10 included in block groups 5 and 6; and that part of Montgomery County tract 0911.01 included in block groups 1, 2, 3, 4, and blocks 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, and 599; and that part of Montgomery County tract 0911.02 included in block group 6 and blocks 301, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351A, 351B, 351C, 351D, 351E, and 351F; Waller County tract 0803.20; and that part of Waller County tract 0803.10 included in blocks 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 138, 139, 140, 141, 142, 143, 147, and 199; and that part of Waller County tract 0804 included in blocks 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, and 199Z.

SECTION 9. District 9 is composed of Chambers, Galveston, and Jefferson counties; Harris County tracts 0247.20, 0252, 0254, 0255, 0256, 0257, 0260, 0261, 0268, 0269.01, and 0269.02; and that part of Harris County tract 0228.01 included in blocks 501A, 501B, 502A, 502B, 503A, 503B, 504, 505, 506, 507, 514, and 515; and that part of Harris County tract 0229 included in block group 1 and blocks 901, and 904; and that part of Harris County tract 0235 included in block 901; and that part of Harris County tract 0236 included in blocks 604A, 917A, 918A, 919, and 999; and that part of Harris County tract 0237 included in block group 4 and blocks 901A, 901B, 901C, 901D, 902, 903, 904, 905, 906, 907, 908, 909A, 910A, 910B, 910C, 911A, 911B, 911C, 999A, 999B, and 999C; and that part of Harris County tract 0238 included in block group 1 and blocks 903A, 903B, and 904; and that part of Harris County tract 0245.22 included in block 106; and that part of Harris County tract 0247.10 included in block groups 3 and 4 and blocks 102, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 207, 210, 211, 214, 215, 216, and 217; and that part of Harris County tract 0253 included in block groups 5 and 8 and blocks 232, 233,

239, 421, 422, 423, 424, 426, 427, 428, 435, 436, 437, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 614, 615, 616, 617, 618, 619, 620, 621, 622, 624, 630, 632, 635, 701, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 716, 717, 718A, 718B, and 799; and that part of Harris County tract 0258 included in blocks 102 and 104; and that part of Harris County tract 0267.02 included in block groups 2, 3, 4, and blocks 101, 102, 106, 107, 108, 112, 113, 114, and 116; and that part of Harris County tract 0274 included in blocks 101, 102, 103, 104, 105, 106, 107, 108, 111, 115, 116, and 199Y; and that part of Harris County tract 0372 included in blocks 114A, 114B, 114C, 114D, 115, 116A, 116B, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 201, 202, 203A, 203B, 204, and 205; and that part of Harris County tract 0373.02 included in blocks 210 and 305; and that part of Harris County tract 0373.03 included in block groups 1, 3, 4, 5, and blocks 201A, 201B, and 201C; and that part of Harris County tract 0373.04 included in blocks 101A, 101B, 203, 204, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 319, 320, 321, and 322; and that part of Harris County tract 0373.11 included in block groups 2 and 3 and block 104; and that part of Harris County tract 0373.21 included in block group 2 and blocks 101, 102, 104, 105, 106, 107, 108, 109, 111, 112, 301, 302, 303, 305, 306, 307, 313, 314, 315, 316, 317, 318, 319, and 320; and that part of Harris County tract 0374 included in block groups 1, 2, 3, 4, 5, and blocks 604, 605, 606, 607, 608, 609, 610, and 611; and that part of Harris County tract 0375 included in block group 1 and blocks 201A, 201B, 201C, 202, 203, 204, 501, 502A, 502B, 502C, 503A, 503B, 503C, 503D, 503E, 505A, 505B, 506A, 506B, and 506C.

SECTION 18. District 18 is composed of Fort Bend County tracts 0701.13, 0701.14, 0701.15, 0701.23, 0701.24, and 0701.33; and that part of Fort Bend County tract 0701.01 included in blocks 102A, 102B, 103, 104, 105, 106A, 106B, 109A, 109B, 110, 120, 121, 122, 123, and 124; and that part of Fort Bend County tract 0701.07 included in blocks 108A, 108B, 113A, 113B, 113C, 114, 115, 116, 117A, 117B, 118, 119, 120, 121, 122A, 122B, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136A, 136B, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147A, 147B, 148, 149, 150, 151, 152, 153A, 153B, 154, 155, 156, 157, 158, 159, 160A, 160B, 161, 162, 163, 164, 165A, 165B, 166A, 166B, 167A, 167B, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178A, 178B, 179A, 179B, 180, 181A, 181B, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, and 199Y; and that part of Fort Bend County tract 0701.12 included in block groups 2 and 3 and blocks 101, 102, 103, 104, 106A, 106B, 107A, 107B, 108, 109A, 109B, 110A, 110B, 110C, 110D, 110E, 111, 112, 113, 114, 115A, 115B, 115C, 116A, 116B, 117, 118, and 119; and that part of Fort Bend County tract 0701.22 included in blocks 101A, 101B, 102, 103, 104A, 104B, 105A, 105B, 106, 107, 108, 109A, 109B, 109C, 109D, 109E, 110, 111, 112B, 113, 114, 115, 116A, 116B, 117A, 117B, 118, 119, 120, 201B, 301B, 401, 402, 403, 404, 405, and 412; and that part of Fort Bend County tract 0701.25 included in block group 2 and blocks 101, 102, 103A, 103B, 103C, 104, 105, 106, 107, 108, 109, 110, 111A, 111B, 111C, 111D, 111E, 111F, 118, 119A, 119B, 120, 121, 122, and 123; and that part of Fort Bend County tract 0701.26 included in block group 3 and blocks 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229,

230, 231, 232, 233, 234, 235, 236A, 236B, 237, 239, 240, 241, 242, 243, 244, and 245; and that part of Fort Bend County tract 0702.12 included in blocks 113A, 113B, 113C, 114, 115, 116, 117, 118, 119, 120, 121, and 122; Harris County tracts 0300.24, 0303, 0304.01, 0304.02, 0305.01, 0305.02, 0306, 0307.01, 0307.02, 0308.10, 0314.01, 0315, 0316.01, 0316.02, 0317.01, 0317.02, 0317.03, 0317.04, 0318.01, 0318.02, 0318.03, 0318.04, 0324.03, 0324.04, 0326.10, 0326.20, 0327.01, 0327.02, 0328.01, 0328.02, 0328.03, 0329.01, 0329.02, 0329.03, 0330.01, 0330.02, 0331.10, 0331.20, 0332, 0333, 0334, 0335.03, 0335.97, 0335.98, 0336, 0337, 0338, 0339.01, 0339.02, 0339.03, 0340, 0341, 0342, 0343.01, 0343.02, 0344, 0345.01, 0345.02, 0346, 0347.03, 0400.25, 0400.26, 0415.03, 0416.01, 0418.01, 0419.04, 0419.05, 0419.06, 0424.01, 0424.02, 0424.04, 0425.01, 0425.02, 0426.01, 0427.98, 0428.02, 0430.01, 0430.02, 0431, 0432.98, 0433.10, 0433.20, 0433.30, 0434.01, 0434.02, 0435.01, 0435.02, 0436.01, 0436.02, 0436.23, and 0436.33; and that part of Harris County tract 0121 included in block groups 3 and 4 and blocks 102, 103, 104, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 117, 118, 119, 120, 121, 124, 126, 127, 128, 129, 130, 131, 132, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, and 292; and that part of Harris County tract 0300.23 included in blocks 213, 217, 218, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, and 297; and that part of Harris County tract 0302 included in blocks 506, 508, 511, 512, 514, 515, 516, 517, 518, 519, 520, and 523; and that part of Harris County tract 0308.20 included in block group 3; and that part of Harris County tract 0319.01 included in blocks 401, 414, and 415; and that part of Harris County tract 0319.02 included in blocks 314, 405, 406, 407, 408, 413, 414, 417, and 418; and that part of Harris County tract 0324.01 included in block group 5 and blocks 102, 103, 104, 105, 106, 107, 108, 110, 111, 112, 113, 114, and 115; and that part of Harris County tract 0324.02 included in block groups 1, 3, 4, 5, 6, 7, and blocks 203, 204, and 205; and that part of Harris County tract 0325.01 included in block group 5 and blocks 601, 602, 603, 604, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 633, 634, 635, 636, 637, 638, 639, and 640; and that part of Harris County tract 0325.02 included in block groups 3, 4, 7, and blocks 202, 203, 208, 210, 211, 212, 213, 214, 215, 216, 217, 225, 226, 227, and 229; and that part of Harris County tract 0347.01 included in block groups 5, 7, 8, and blocks 601, 602, 604, 606, 607, 609, 610, 611, 612, 613, 614, 615, 616, 617, 622, 623, 624,

and 625; and that part of Harris County tract 0347.04 included in blocks 302, 401, 402, 403, and 516; and that part of Harris County tract 0371.11 included in block group 1 and blocks 203, 301, 302, 303, 304, 305, 306, 801, 802, 808, 809, 810, 811, 812, 813, and 814; and that part of Harris County tract 0371.21 included in blocks 401 and 402; and that part of Harris County tract 0402.02 included in blocks 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 119, 120, 121, 125, 126, and 216; and that part of Harris County tract 0414.02 included in block group 2 and blocks 101, 102, 103, 105, 106, 107, 108, and 109; and that part of Harris County tract 0415.02 included in blocks 116, 117, 118, 119, and 120; and that part of Harris County tract 0415.04 included in block 601; and that part of Harris County tract 0416.02 included in block 701; and that part of Harris County tract 0419.01 included in blocks 109, 110, 111, 112, and 113; and that part of Harris County tract 0423.01 included in block groups 6 and 9; and that part of Harris County tract 0423.02 included in blocks 903, 904, 905, 906, 907, and 908; and that part of Harris County tract 0423.03 included in blocks 502, 503, and 505; and that part of Harris County tract 0423.04 included in blocks 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 125, 126, 310, 328, 402, 403, and 404; and that part of Harris County tract 0423.05 included in block groups 3 and 4 and blocks 101, 201, 202, 206, 210, and 213; and that part of Harris County tract 0423.06 included in block group 5; and that part of Harris County tract 0423.07 included in block groups 8 and 9 and blocks 702, and 703; and that part of Harris County tract 0424.03 included in block groups 1 and 6 and blocks 701, 702, 704, 713, 801, 802, 803, 804, 805, 809, 810, and 811; and that part of Harris County tract 0425.03 included in blocks 113, 114, 116, 117, 228, 620, and 622; and that part of Harris County tract 0425.04 included in block group 2 and blocks 101, 102, 103, 104, 105, 106, 107, 112, and 113; and that part of Harris County tract 0426.02 included in blocks 306, 313, 314, 315, 401, 402, 403, 404, 406, 407, 408, 409, 413, 415, and 503; and that part of Harris County tract 0427.01 included in block group 5 and blocks 102, 603, and 604; and that part of Harris County tract 0429 included in block group 3; and that part of Harris County tract 0436.13 included in block group 1 and blocks 201, 202, 203, 207, 208, 209, 210, 211, 212, 213, 214, 215, and 216; and that part of Harris County tract 0437.22 included in block group 5 and blocks 401, 404, 405, and 406; and that part of Harris County tract 0437.32 included in block group 8 and blocks 901, 902, 903, 904, and 905; and that part of Harris County tract 0438.15 included in blocks 645, 648, and 650; and that part of Harris County tract 0438.25 included in blocks 111, 212, 308, and 309; and that part of Harris County tract 0504 included in blocks 423, 424, 430, and 431; and that part of Harris County tract 0505.02 included in block 411.

SECTION 22. District 22 is composed of Brazoria County tracts 0601.10, 0601.20, 0602.11, 0602.12, 0602.21, 0602.22, 0602.32, 0603.10, 0603.20, 0604.10, 0604.20, 0604.30, 0605.10, 0605.20, 0606, 0607, 0608, 0610, 0611, 0612, 0624.99, 0625.02, 0625.11, 0625.13, 0625.21, 0625.23, and 0631; and that part of Brazoria County tract 0609.10 included in block group 1 and blocks 201, 202, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 320A,

320B, 320C, 321, 322, 324A, 324B, 325A, 325B, 326, 327, and 328; and that part of Brazoria County tract 0609.20 included in block groups 2, 4, 5, and blocks 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 113, 116, 117, 118, 119, 120, 121, 122, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, and 336; and that part of Brazoria County tract 0613 included in block group 1 and blocks 201, 202A, 202B, 202C, 202D, 202E, 202F, 202G, 203A, 203B, 203C, 203D, 204, 205, 206, 207, 208A, 208B, 208C, 208D, 208E, 208F, 209, 210, 211A, 211B, 212A, 212B, 213, 214, 236, 237, 239, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 299, and 299Y; and that part of Brazoria County tract 0614 included in blocks 113, 114, 116, 117, 122, 123, 124, 125, 201A, 201B, 202A, 202B, 202C, 203, 204, 205, 206, 207, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, and 239; and that part of Brazoria County tract 0624 included in block group 1 and blocks 201A, 201B, 201C, 201D, 202A, 202B, 203A, 203B, 207A, 207B, 207C, 207D, 207E, 207F, 207G, 208A, 208B, 208C, 208D, 220, 221, 222, 223A, 223B, 223C, 223D, 223E, 223F, 224A, 224B, 228, 229, 230, 231, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248A, 248B, 248C, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273A, 273B, 274, 275, 276A, 276B, 277, 278A, 278B, 279A, 279B, 280, 281A, 281B, 282, 283A, 283B, 283C, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297A, 297B, 299A, 299B, 299C, 299D, 299E, 299T, and 299Z; and that part of Brazoria County tract 0626.01 included in blocks 101A, 101B, 105, and 106; and that part of Brazoria County tract 0627 included in blocks 401, 402A, 402B, 403A, 403B, 403C, 403D, 404, 405, 499, and 499Y; and that part of Brazoria County tract 0628 included in block 201B; Fort Bend County tracts 0701.16, 0702.01, 0702.04, 0702.13, 0702.22, 0702.23, 0702.33, 0702.43, 0703.11, 0703.12, 0703.13, 0703.21, 0703.22, 0703.23, 0703.31, 0703.32, 0703.41, 0703.51, 0704, 0705, 0706, 0707.02, 0707.03, 0707.11, 0707.21, 0708, 0709.01, 0709.03, 0709.12, 0709.22, 0710.01, 0710.02, 0711, 0712, 0713, and 0714; and that part of Fort Bend County tract 0701.01 included in block group 2 and blocks 101, 107, 108, 111, 112, 113, 114, 115, 116, 117, 118, and 119; and that part of Fort Bend County tract 0701.07 included in blocks 101A, 101B, 102A, 102B, 103, 104, 105, 106, 107A, 107B, 109, 110A, 110B, 110C, 110D, 111A, 111B, 111C, 111D, 111E, 111F, 112, 199, and 199Z; and that part of Fort Bend County tract 0701.12 included in block 105; and that part of Fort Bend County tract 0701.22 included in blocks 112A, 201A, 201C, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 301A, 302, 303, 304, 305, 306, 307, 406, 407, 408, 409, 410, 411, 413, 414, 415, 416, 417, and 418; and that part of Fort Bend County tract 0701.25 included in blocks 112, 113, 114, 115, 116, and 117; and that part of Fort Bend County tract 0701.26 included in block group 1 and blocks 201, 202, 203A, 203B, 204, 205A, 205B, 206A, 206B, 207, 208A, 208B, 238A, 238B, 246A, 246B, 246C, 247, 248, 249, 250, and 299; and that part of Fort Bend County tract 0702.12 included in block groups 2, 3, 4, and blocks 101, 102, 103A, 103B, 104, 105A, 105B, 106, 107, 108, 109, 110, 111, and 112; Harris County tracts 0367, 0368.01, 0368.02,

0369, 0371.02, 0437.11, 0437.12, 0437.21, 0438.04, 0438.06, 0438.11, 0438.21, 0438.31, 0446.01, 0449.10, 0452.01, and 0452.32; and that part of Harris County tract 0366.02 included in block groups 1 and 2 and blocks 305, 306, and 307; and that part of Harris County tract 0366.31 included in blocks 916, 917, 999A, and 999B; and that part of Harris County tract 0366.41 included in blocks 201A, 201B, 202, 207, 208, 209, 210, 211A, 211B, 212, and 299; and that part of Harris County tract 0370.10 included in blocks 103, 104, 105, 106, 107, 108, 109, 110, 111, and 112; and that part of Harris County tract 0370.20 included in block groups 1 and 2 and blocks 906, 907, 908A, and 908B; and that part of Harris County tract 0371.11 included in block groups 4, 5, 6, 7, and blocks 201, 202, 204, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 803, 804, 805, 806, 807, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824A, 824B, 825, 826A, and 826B; and that part of Harris County tract 0371.21 included in block groups 1, 2, 3, and blocks 403A, 403B, 403C, 403D, 403E, 403F, 403G, 403H, 403J, 403K, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, and 499; and that part of Harris County tract 0372 included in block groups 3 and 4 and blocks 101, 102A, 102B, 103, 104, 105A, 105B, 106, 107, 108, 109, 110, 111, 112A, 112B, 113, and 206; and that part of Harris County tract 0373.02 included in block groups 1, 4, 5, 6, 7, and blocks 201, 202, 203, 204, 205, 206, 207, 208, 209, 211, 301, 302, 303, 304, 306, 307, 308, and 309; and that part of Harris County tract 0373.03 included in blocks 202, 203, 204, 205A, and 205B; and that part of Harris County tract 0373.04 included in blocks 102, 103A, 103B, 104, 105A, 105B, 105C, 105D, 106A, 106B, 201, 202, 317, 318, 323, and 324; and that part of Harris County tract 0373.11 included in blocks 101A, 101B, 102, 103, 105, 106, 107, 108, 109, 110, 111, and 112; and that part of Harris County tract 0373.21 included in blocks 103, 110, 304, 308, 309, 310, 311, and 312; and that part of Harris County tract 0374 included in blocks 601, 602, and 603; and that part of Harris County tract 0375 included in block groups 3 and 4 and blocks 205, 504A, and 504B; and that part of Harris County tract 0423.01 included in block groups 7 and 8; and that part of Harris County tract 0423.02 included in block groups 7 and 8 and blocks 901, and 902; and that part of Harris County tract 0423.03 included in blocks 303, 304, 307, 308, 309, 311, 430, 501, and 504; and that part of Harris County tract 0423.06 included in blocks 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 413, 414, and 417; and that part of Harris County tract 0423.07 included in blocks 701, 726, 727, 728, 730, and 731; and that part of Harris County tract 0424.03 included in blocks 711, 806, 807, and 808; and that part of Harris County tract 0436.13 included in block groups 3, 4, 5, 6, and blocks 204, 205, and 206; and that part of Harris County tract 0437.22 included in block groups 6 and 7 and blocks 402, and 403; and that part of Harris County tract 0437.32 included in block groups 6 and 7 and blocks 906, and 907; and that part of Harris County tract 0438.15 included in block group 5 and blocks 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 646, 647, and 649; and that part of Harris County tract 0438.25 included in block groups 4 and 5 and blocks 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 113, 114,

115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 301, 302, 303, 304, 305, 306, and 307; and that part of Harris County tract 0446.12 included in blocks 901, 902, and 907; and that part of Harris County tract 0448 included in blocks 912A, 912B, 914B, 914C, 915A, and 915B; and that part of Harris County tract 0449.20 included in block groups 1, 2, 3, 4, 5, 6, 7, 9, and blocks 801A, 801B, 801C, 801D, 802, 803A, 803B, 805, 806, 807A, 807B, 808A, 808B, and 809; and that part of Harris County tract 0451.01 included in block groups 1, 2, 3, and blocks 401, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, and 425; and that part of Harris County tract 0451.32 included in block group 7; and that part of Harris County tract 0452.12 included in block groups 1, 2, 3, and blocks 903, 904A, 904B, 905, 906, 907, 908, 909, 910, 911A, 911B, 912A, 912B, 913A, 913B, 914, 915, 916, 919, 920, 921, 922A, 922B, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935A, 935B, 936A, 936B, 937A, 937B, 938A, 938B, 939A, 939B, 940A, 940B, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, and 953; and that part of Harris County tract 0452.22 included in block groups 4 and 5 and blocks 211, and 212.

SECTION 25. District 25 is composed of Harris County tracts 0205.98, 0206.01, 0206.98, 0207.02, 0207.03, 0207.04, 0208.01, 0208.02, 0208.03, 0213.02, 0214.01, 0214.02, 0215.01, 0215.02, 0215.03, 0216.01, 0216.02, 0217.01, 0217.02, 0218.03, 0224.02, 0224.03, 0224.04, 0225.01, 0225.02, 0225.03, 0225.04, 0226.01, 0226.02, 0227, 0228.02, 0230.01, 0230.02, 0230.03, 0230.04, 0231, 0233, 0233.99, 0234, 0239.20, 0241.02, 0259.01, 0259.02, 0262, 0263, 0264, 0264.99, 0265, 0266, 0267.01, 0267.03, 0270, 0271, 0272, 0273, 0275, 0359.12, 0359.21, 0359.22, 0359.32, 0360.03, 0362, 0363, 0364, 0365.01, 0365.02, 0365.03, 0366.11, 0366.21, 0510, 0517.01, 0517.02, 0517.03, 0517.04, 0518.01, 0519.01, 0519.02, 0519.03, 0523.01, 0524, 0525.01, 0525.02, 0525.03, 0525.04, 0526.01, 0526.02, 0526.03, 0526.04, 0527.01, 0527.02, 0527.03, 0528, 0529.12, 0529.22, 0530.01, 0531.01, 0531.02, 0531.03, 0534.02, 0535.20, and 0537.32; and that part of Harris County tract 0204 included in block 101; and that part of Harris County tract 0205.01 included in block group 5 and blocks 701, 702, 703, 707, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, and 740; and that part of Harris County tract 0207.01 included in block groups 5 and 7 and blocks 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 626, 627, and 628; and that part of Harris County tract 0209 included in blocks 901, 902, 903, 904, 908, 914, 915, 916, 917, 918, 919, 920, 921, 922, and 923; and that part of Harris County tract 0210.01 included in block group 7 and blocks 527, 601, 602, 603, 604, 605, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 630, 631, 640, 643, 644, 650, 651, 652, 653, 654, and 655; and that part of Harris County tract 0212 included in blocks 102, 510, and 703; and that part of Harris County tract 0213.01 included in block groups 3 and 4 and blocks 901, 902, and 904; and that part of Harris County tract 0218.02 included in block groups 1 and 7 and blocks 602, 603, 604, 605, 606, 608, 609, 610, 611, 612, 613, 614, 615, 616, and 617; and that part of Harris County tract 0218.04 included in block group 3 and blocks 401, 402, 403, 405, 406, 407, 408, 410, 411, 412, 413, 414, 421, 422, 424, 425, and 426; and that part of Harris County tract 0219 included in blocks 304, 306, 307, 402, 403, 404, 411,

412, 413, 414, 415, 416, 417, 418, and 419; and that part of Harris County tract 0221 included in blocks 102, 103, 104, and 108; and that part of Harris County tract 0222.01 included in blocks 501A and 501B; and that part of Harris County tract 0223.01 included in block 204; and that part of Harris County tract 0223.03 included in blocks 401 and 409; and that part of Harris County tract 0224.01 included in block groups 3, 4, 5, and block 602; and that part of Harris County tract 0228.01 included in block groups 1, 2, 3, 4, 6, 9, and blocks 508, 509, 510, 511, 512, 513, 516, 517, 518A, 518B, 519, 520, 521, 522, 523, 524, 525, 526, and 527; and that part of Harris County tract 0229 included in blocks 902, 903A, 903B, 905A, 905B, 906, and 907; and that part of Harris County tract 0235 included in block groups 1, 4, 5, 6, and blocks 902, 903, 904, 905, 906, 907, 908, 909, 910, and 999; and that part of Harris County tract 0236 included in block groups 1, 2, 3, 5, and blocks 601, 602, 603, 604B, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917B, and 918B; and that part of Harris County tract 0237 included in blocks 901E and 909B; and that part of Harris County tract 0238 included in block groups 2 and 3 and blocks 901, and 902; and that part of Harris County tract 0239.10 included in block group 4 and blocks 301, 302, 303, 304, 306, 307, 308, 309, 310, 311, 317, 318, 319, 320, and 321; and that part of Harris County tract 0241.01 included in blocks 101A, 101B, 102, 103A, 103B, 104, 105, 106A, 106B, 107A, 107B, 108, 109, 110, 111A, 111B, 112A, and 112B; and that part of Harris County tract 0242 included in blocks 203, 204, 205, 206, 301, 302, 303, 304, 305, 306, 307, 309, 310, 311, 312, and 313; and that part of Harris County tract 0243 included in block group 1 and blocks 201, 203, 204A, 204B, 204C, 205, 206, 207, 208A, 208B, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248A, 248B, 249, 250, 251, and 252; and that part of Harris County tract 0245.22 included in blocks 101, 102, 103, 104, 105, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 202A, 202B, 203, 204, 208, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, and 221; and that part of Harris County tract 0247.10 included in block 101; and that part of Harris County tract 0258 included in block groups 2, 3, 4, and blocks 101, 103, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, and 118; and that part of Harris County tract 0267.02 included in block 117; and that part of Harris County tract 0274 included in blocks 109, 110, 112, 113, 114, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, and 199Z; and that part of Harris County tract 0360.02 included in block groups 3 and 4 and blocks 101A, 101B, 103, 116, 117, 119, 120, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, and 140; and that part of Harris County tract 0360.04 included in blocks 515 and 516; and that part of Harris County tract 0366.02 included in blocks 301, 302, 303, and 304; and that part of Harris County tract 0366.31 included in blocks 901, 902, 903, 904A, 904B, 904C, 904D, 904E, 905A, 905B, 905C, 905D, 905E, 905F, 906, 907A, 907B, 907C, 907D, 907E, 908A, 908B, 908C, 908D, 909, 910, 911A, 911B, 911C, 912A, 912B, 912C, 912D, 913A, 913B, 914, and 915; and that part of Harris County tract 0366.41 included in block group 1 and blocks 203A, 203B, 204, 205, 206,

213A, 213B, 213C, 213D, 213E, 214, 215, and 216; and that part of Harris County tract 0443.01 included in blocks 302, 303, 304, 305, 401, 402, 403, 405, 410, 411, 412, 413, 414, 415, 601, 602, 603, 604, 605, 608, 609, 610, 613, 614, 615, and 621; and that part of Harris County tract 0511 included in block groups 6 and 7 and blocks 319, 320, 321, 404, 405, 410, 411, 416, 417, 418, 419, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, and 520; and that part of Harris County tract 0513 included in block group 1 and blocks 201, 202, 203, 204, 205, and 206; and that part of Harris County tract 0517.05 included in blocks 101, 102, 103, 104, 105, 106, 107, 108, 109, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, and 122; and that part of Harris County tract 0518.02 included in block groups 3 and 4 and blocks 601, 617, 622, and 623; and that part of Harris County tract 0518.03 included in block group 4 and blocks 501, 502, 603, 604, 608, and 610; and that part of Harris County tract 0520.01 included in block group 5 and blocks 401, 402, 403, 404, 405, 406, 407, 408, 410, 411, 412, 414, 415, 418, 419, 420, 422, and 424; and that part of Harris County tract 0520.02 included in blocks 203, 204, 205, and 206; and that part of Harris County tract 0520.03 included in block group 3 and blocks 204, 205, 207, 208, 209, 210, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 234, and 235; and that part of Harris County tract 0523.02 included in block groups 3 and 6 and blocks 101, 102, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, and 117; and that part of Harris County tract 0523.03 included in blocks 301, 302, 303, 304, 307, 308, 309, 311, 314, 315, 322, 326, 327, 328, 329, 331, 332, 333, 336, 337, and 338; and that part of Harris County tract 0529.01 included in block groups 2, 3, 4, and blocks 501, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 517, 518, 519, 520, 521, 522, 528, 529, 530, and 538; and that part of Harris County tract 0530.02 included in block groups 1, 3, 4, 5, and blocks 201, 202, 203, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, and 220; and that part of Harris County tract 0530.03 included in block group 1 and blocks 215, 501, 502A, 502C, 503, 504, 505, 506, 507, 508, 509, 510, and 511; and that part of Harris County tract 0532.01 included in block groups 4, 5, 6, and blocks 303, 304, 305, 306, 307, 308, 309, and 321; and that part of Harris County tract 0532.02 included in blocks 123, 301A, 301B, and 302; and that part of Harris County tract 0533.01 included in blocks 101, 102A, 102B, 103A, 103B, 104, 105, 106, 107, 108, 109, 110A, 110B, 111, 112, 113A, 113B, and 114; and that part of Harris County tract 0533.03 included in blocks 301, 302, 318, 319, 320, 327, 328, 329, 401A, 401B, 402, 403, 404, 406, 407, 410, 411, 414, 415, 427, 428, 429, 430, and 431; and that part of Harris County tract 0534.01 included in block groups 1 and 2 and blocks 301A, 301B, 302, 303A, 303B, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317A, 317B, 318, 319, 320, 321, 323A, 323B, 324, 325, 326, 327, 328, 329, 330, and 331; and that part of Harris County tract 0535.10 included in block group 3; and that part of Harris County tract 0537.22 included in block group 4; and that part of Harris County tract 0538.22 included in block group 3; and that part of Harris County tract 0539 included in block groups 2, 3, 9, and blocks 102, 103, 107, 411A, and 411B; and that part of Harris County tract 0540.01 included in block groups 1 and 2 and blocks 301, 303, 304, 305, 306, 307, 310, 311, 312, 313, 314, 315, 316, 317, 323, 329, 330, 331, 332, and 333; and that part of Harris County tract

0540.22 included in block groups 3 and 4 and blocks 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, and 517; and that part of Harris County tract 0542.02 included in blocks 103, 104, 105, 111, 112, 118A, 118C, 119, 201, 202, 203, 204, 205A, 206, and 207.

SECTION 29. District 29 is composed of Harris County tracts 0201.01, 0201.02, 0202.10, 0202.20, 0203.01, 0203.02, 0203.03, 0205.03, 0210.02, 0211, 0211.99, 0218.01, 0220.01, 0220.02, 0222.02, 0223.02, 0232, 0232.99, 0240.01, 0240.02, 0240.03, 0241.03, 0300.22, 0301.01, 0301.02, 0309.01, 0309.02, 0309.03, 0310, 0311, 0311.99, 0312, 0313.01, 0313.02, 0314.02, 0320.01, 0320.02, 0320.03, 0320.04, 0321.01, 0321.02, 0321.03, 0322.01, 0322.02, 0322.03, 0322.04, 0323.01, 0323.02, 0347.02, 0348.01, 0348.02, 0349.01, 0349.02, 0350.01, 0350.02, 0350.03, 0350.04, 0351, 0352, 0353.01, 0353.02, 0354, 0354.99, 0355.01, 0355.02, 0356.01, 0356.02, 0356.03, 0356.04, 0357.01, 0357.02, 0357.03, 0358.01, 0358.02, 0359.11, 0360.01, 0361, 0401.01, 0441.02, 0442.01, 0442.02, 0442.03, 0442.04, 0443.02, 0443.03, 0443.04, 0501, 0502, 0503.01, 0503.02, 0505.01, 0506.01, 0506.02, 0507.01, 0507.02, 0508, 0509.01, 0509.02, 0509.03, 0512, 0514.01, 0514.02, 0515.02, 0516.02, 0521.01, 0521.02, 0521.03, 0522.01, 0522.02, and 0533.02; and that part of Harris County tract 0121 included in blocks 101, 105, 116, 122, 123, 125, 133, 201, 202, 203, 204, 205, 206, 207, 208, and 219; and that part of Harris County tract 0204 included in block groups 2, 3, 4, 5, and blocks 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, and 124; and that part of Harris County tract 0205.01 included in block group 6 and blocks 704, 705, 706, 708, 709, 712, 714, 715, 722, 723, and 742; and that part of Harris County tract 0207.01 included in blocks 622, 623, 624, and 625; and that part of Harris County tract 0209 included in blocks 905, 906, 907, 909, 910, 911, 912, 913, 924, 925, 926, 927, 928, 929, 930, and 931; and that part of Harris County tract 0210.01 included in block group 4 and blocks 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 606, 607, and 608; and that part of Harris County tract 0212 included in block groups 2, 3, 4, 6, and blocks 101, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 120A, 120B, 120C, 501, 502, 503, 504, 505, 506, 507, 508, 509, 511A, 511B, 512A, 512B, 513, 514, 515, 516, 517, 518, 519, 520, 521A, 521B, 522, 701, 702, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, and 718; and that part of Harris County tract 0213.01 included in blocks 903 and 905; and that part of Harris County tract 0218.02 included in blocks 601 and 607; and that part of Harris County tract 0218.04 included in block 404; and that part of Harris County tract 0219 included in block groups 1, 2, 5, and blocks 301, 302, 303, 305, 308, 401, 405, 406, 407, 408, 409, and 410; and that part of Harris County tract 0221 included in block groups 2, 3, 4, 5, and blocks 101, 105, and 106; and that part of Harris County tract 0222.01 included in block group 4 and blocks 502, 503A, 503B, 504A, 504B, 505A, 505B, 506, 507A, 507B, 508A, 508B, 509A, 509B, 510, 511A, 511B, 511C, 511D, 512, 518A, 518B, 519A, 519B, 520A, 520B, 521A, 521B, 524A, 524B, 524C, 524D, and 524E; and that part of Harris County tract 0223.01 included in block groups 1 and 5 and blocks 201A, 201B, 202, 203, 205, 206A, and 206B; and that part of Harris

County tract 0223.03 included in block group 5 and blocks 402, 403, 404, 405, 406, 407, 408, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 423, 424, 427, 428, 429, 430, 431, 432, 433, 434, and 435; and that part of Harris County tract 0224.01 included in blocks 601, 603, 604, 605, 606, and 607; and that part of Harris County tract 0239.10 included in blocks 305, 312, 313, 314, 315, and 316; and that part of Harris County tract 0241.01 included in blocks 113, 114, and 115; and that part of Harris County tract 0242 included in block 308; and that part of Harris County tract 0300.23 included in block group 1 and blocks 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 214, 215, 216, 219, 220, 221, 275, 276, 277, 278, 279, 280, 281, 282, and 283; and that part of Harris County tract 0302 included in block groups 1, 2, 3, 4, 6, 7, and blocks 501, 502, 503, 504, 505, 507, 509, 510, 513, 521, 522, and 524; and that part of Harris County tract 0308.20 included in block groups 1 and 2; and that part of Harris County tract 0319.01 included in block groups 1, 5, 6, 7, and blocks 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, and 413; and that part of Harris County tract 0319.02 included in block groups 1 and 2 and blocks 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 401, 402, 403, 404, 409, 410, 411, 412, and 416; and that part of Harris County tract 0324.01 included in blocks 101 and 109; and that part of Harris County tract 0324.02 included in blocks 201, 202, and 206; and that part of Harris County tract 0325.01 included in block group 1 and blocks 605, 606, 607, 608, 609, 610, 627, 628, 629, 630, 631, and 632; and that part of Harris County tract 0325.02 included in block group 1 and blocks 201, 204, 205, 206, 207, 209, 218, and 219; and that part of Harris County tract 0347.01 included in block 603; and that part of Harris County tract 0347.04 included in block groups 2 and 8 and blocks 301, 303, 422, 423, 424, 425, 426, 427, 428, 430, 433, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 517, 518, 519, 522, 523, 526, 527, 528, 529, 530, 531, 532, and 533; and that part of Harris County tract 0360.02 included in block group 2 and blocks 102, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 118, 121, 122, and 123; and that part of Harris County tract 0360.04 included in block group 6 and blocks 501, 502, 503, 504A, 504B, 507, 508, 509, 510, 511, 512, 513, 514, 517, 518, 519, 520, 521, 522, 549A, 549B, 550A, and 550B; and that part of Harris County tract 0370.10 included in block groups 2 and 3 and blocks 101, and 102; and that part of Harris County tract 0370.20 included in blocks 901A, 901B, 902, 903, 904, and 905; and that part of Harris County tract 0401.02 included in blocks 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 115, 116, 117, 118, 119, 120, 121, 122, 124, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 219, 220, 221, 222, 223, and 224; and that part of Harris County tract 0402.01 included in blocks 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, and 740; and that part of Harris County tract 0402.02 included in block 431; and that part of Harris County tract 0441.01 included in blocks 307, 308, 309, 401, and 402; and that part of Harris County tract 0443.01 included in block groups 1, 2, 5, and blocks 301, 404, 406, 407, 408, 409, 416, 417, 418, 419, 420, 606, 607, 611, 612, 616, 617, 618, 619, 620, 624, 625, 626, and 627; and that part of Harris County tract 0443.05 included in block group 1 and block 401; and that part of Harris County tract 0443.06 included

in block group 7 and block 623; and that part of Harris County tract 0444.03 included in blocks 216 and 219; and that part of Harris County tract 0444.04 included in blocks 301, 302, 304, 305, 306, 315, and 316; and that part of Harris County tract 0504 included in block groups 1, 2, 3, and blocks 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 425, 426, 427, 428, and 429; and that part of Harris County tract 0505.02 included in block groups 1, 2, 3, 5, 6, 7, and blocks 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, and 425; and that part of Harris County tract 0511 included in block groups 1 and 2 and blocks 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 322, 323, 401, 402, 403, 406, 407, 408, 409, 412, 413, 414, 415, 420, 421, 501, 502, 503, 504, 505, 506, 507, 508, and 509; and that part of Harris County tract 0513 included in block groups 3, 4, 5, and blocks 207, 208, 209, 210, 211, 212, 213, 214, and 215; and that part of Harris County tract 0515.01 included in block groups 6 and 7 and blocks 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 302, 303, 305, 307, 308, 309, 310, 311, 312, 315, 316, 317, 318, 319, 320, 321, 325, 326, 401, 402, 403, 404, 405, 406, 412, 413, 414, 415, 501, 502, 503, 524, 525, and 526; and that part of Harris County tract 0516.01 included in block groups 1, 2, 3, and blocks 401A, 401B, 402, 403, 404, 405A, 405B, 406, 407, 408, 409, 411, 412, 413, and 414; and that part of Harris County tract 0517.05 included in blocks 110, 111, and 123; and that part of Harris County tract 0518.02 included in blocks 615 and 618; and that part of Harris County tract 0518.03 included in blocks 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 601, 602, 605, 606, 607, 609, 611, 612, 613, 614, 615, 616, 617, 618, and 619; and that part of Harris County tract 0520.01 included in block 409; and that part of Harris County tract 0520.02 included in block group 1 and blocks 201, 202, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, and 225; and that part of Harris County tract 0520.03 included in blocks 201, 202, 203, and 206; and that part of Harris County tract 0523.02 included in block 115; and that part of Harris County tract 0523.03 included in block group 2 and blocks 305, 306, and 335; and that part of Harris County tract 0532.01 included in blocks 301, 302, 310, 311, 312, 313, 314, 315, 316, 318, 319, 324, 325, 326, 327, and 328; and that part of Harris County tract 0532.02 included in block group 2 and blocks 101, 102, 103A, 103B, 103C, 104, 115, 116, 117, 118, 119, 120, 121, 122, 303A, 303B, 304, 305, and 306; and that part of Harris County tract 0533.01 included in block groups 2 and 3 and blocks 115, 116, 117, 118, 119, 120, and 124; and that part of Harris County tract 0533.03 included in block groups 1 and 2 and blocks 310, 317, 416, 417, 423, 424, 425, 426, and 432; and that part of Harris County tract 0534.01 included in block 322.

Representative D. Jones moved to table Amendment No. 2.

The motion to table prevailed.

A record vote was requested.

CSHB 772, as amended, was passed to engrossment by (Record 423): 79 Yeas, 60 Nays, 1 Present, not voting.

Yeas — Alexander; Bailey; Berlanga; Bosse; Burnam; Chavez; Chisum; Coleman; Cook; Counts; Culberson; Danburg; Davis; Delisi; Dukes; Dunnam; Dutton; Edwards; Eiland; Farrar; Finnell; Flores; Gallego; Giddings; Glaze; Gray; Greenberg; Gutierrez; Haggerty; Hernandez; Hightower; Hinojosa; Hirschi; Hochberg; Hodge; Jones, D.; Jones, J.; King; Kubiak; Lewis, G.; Luna; Maxey; McClendon; McReynolds; Moreno; Naishtat; Oakley; Olivo; Patterson; Pickett; Pitts; Place; Price; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Rhodes; Roman; Sadler; Solis; Stiles; Swinford; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Wilson; Wise; Wolens; Yarbrough; Zbraneck.

Nays — Allen; Alvarado; Averitt; Bonnen; Brimer; Carter; Christian; Clark; Corte; Crabb; Craddick; Davila; Denny; Driver; Ehrhardt; Elkins; Galloway; Garcia; Goodman; Goolsby; Grusendorf; Hamric; Hartnett; Heflin; Hilbert; Hill; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Kamel; Keel; Keffer; Krusee; Kuempel; Longoria; Madden; Marchant; McCall; Merritt; Moffat; Mowery; Nixon; Palmer; Rabuck; Reyna, E.; Seaman; Shields; Siebert; Smithee; Solomons; Staples; Talton; Williams; Wohlgemuth; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Junell; Oliveira; Serna.

Absent — Cuellar; Hawley; Hilderbran; Lewis, R.; Smith; Williamson.

STATEMENTS OF VOTE

When Record No. 423 was taken, I was temporarily out of the house chamber speaking to constituents. I would have voted no.

Hilderbran

When Record No. 423 was taken, I was in the house but away from my desk. I would have voted yes.

R. Lewis

CSHB 2254 ON SECOND READING (by D. Jones)

CSHB 2254, A bill to be entitled An Act relating to reapportionment of certain state representative districts.

Amendment No. 1

Representative D. Jones offered the following amendment to **CSHB 2254**:

Amend **CSHB 2254** in Section 1 of the bill by striking proposed Sections 83 and 84, Article II, Chapter 2, Acts of the 72nd Legislature, 3rd Called Session, 1992, and substituting the following:

Sec. 83. District 83 is composed of Lubbock County tracts 0001, 0002.01, 0002.02, 0003.01, 0003.02, 0006.03, 0006.04, 0006.05, 0006.06, 0007, 0008,

0009, 0010, 0011, 0012, 0013, 0014, 0017.97, 0022.01, 0022.02, 0023, 0024, 0025, 0101.01, 0101.02, 0102, 0104.03, 0104.04, 0106, and 0107; and that part of Lubbock County tract 0004.05 included in blocks 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 901A, 903, 904, 905, and 906; and that part of Lubbock County tract 0103.01 included in block group 3 and blocks 101, 102, 103, 104, 105, 106, 107, 108, 111, 112, 115, 116, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, and 215; and that part of Lubbock County tract 0104.01 included in block groups 4 and 5 and blocks 301A, 301B, 302A, 302B, 303A, 303B, 304A, 304B, 305A, 305B, 306A, 306B, 307A, 307B, 308, 309, 310, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331A, 331B, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393A, 393B, 394A, 394B, and 395; and that part of Lubbock County tract 0104.02 included in block groups 1 and 2 and blocks 503, 504, 505, 506, 507, and 508; and that part of Lubbock County tract 0105.06 included in block group 3; and that part of Lubbock County tract 0105.07 included in blocks 201, 202A, 202B, 208, 209, and 210; and that part of Lubbock County tract 0105.08 included in block groups 2, 4, 5, and blocks 301, 302, 317, 318, 319, 320, 321, 322, and 323.

Sec. 84. District 84 is composed of Lubbock County tracts 0004.02, 0004.03, 0004.04, 0004.06, 0005, 0015, 0016.01, 0016.02, 0017.02, 0017.03, 0017.05, 0017.06, 0017.98, 0018.01, 0018.03, 0018.04, 0019.01, 0019.03, 0019.04, 0020, 0021.01, 0021.02, 0103.02, 0105.02, 0105.04, and 0105.05; and that part of Lubbock County tract 0004.05 included in block group 3 and blocks 115, 116, 117, 901B, 902, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, and 921; and that part of Lubbock County tract 0103.01 included in blocks 109, 110, 113, 114, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143A, 143B, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, and 289; and that part of Lubbock County tract 0104.01 included in block groups 1 and 2 and blocks 311, and 312; and that part of Lubbock County tract 0104.02 included in block groups 3 and 4 and blocks 501, and 502; and that part of Lubbock County tract 0105.06 included in block groups 1 and 2; and that part of Lubbock County tract 0105.07 included in block group 1 and blocks 203A, 203B, 204, 205, 206A, 206B, 207A, 207B, 211, and 212; and that part of Lubbock County tract 0105.08 included in blocks 303, 304A, 304B, 305, 306A, 306B, 307A, 307B, 308, 309, 310, 311, 312, 313, 314, 315, 316, 324, 325, 326, 327, 328, and 329.

Amendment No. 1 was adopted without objection.

CSHB 2254, as amended, was passed to engrossment. (Horn and E. Reyna recorded voting no)

(Junell now present)

CSHB 2948 ON SECOND READING
(by S. Turner)

CSHB 2948, A bill to be entitled An Act relating to the creation and re-creation of funds and accounts in the state treasury, the dedication and rededication of revenue, and the exemption of unappropriated money from use for general governmental purposes.

Amendment No. 1

Representative Ehrhardt offered the following amendment to **CSHB 2948**:

Amend **CSHB 2948** by adding an appropriately numbered section to read as follows and renumbering subsequent sections accordingly:

SECTION _____. AMENDMENT. The heading to and Subsection (a) of Section 2201.003, Government Code, are amended to read as follows:

Sec. 2201.003. TRANSFERS FROM CAPITAL TRUST [~~RELATION TO GENERAL REVENUE~~] FUND. (a) Interest earned by [~~Income from~~] the fund shall be deposited to the credit of the housing trust [~~general revenue~~] fund.

Amendment No. 1 was adopted without objection.

CSHB 2948, as amended, was passed to engrossment.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for the remainder of today to attend a meeting of the conference committee on **HB 1**:

Cuellar on motion of Hunter.

Junell on motion of R. Lewis.

Swinford on motion of R. Lewis.

Coleman on motion of R. Lewis.

Gallego on motion of R. Lewis.

Delisi on motion of R. Lewis.

The following member was granted leave of absence for the remainder of today because of personal business:

Rabuck on motion of Howard.

CSHB 2520 ON SECOND READING
(by Gallego)

CSHB 2520, A bill to be entitled An Act relating to the conservatorship of state agencies and public junior colleges as a result of fiscal mismanagement.

CSHB 2520 was passed to engrossment.

HB 3373 ON SECOND READING
(by Yarbrough, Keel, et al.)

HB 3373, A bill to be entitled An Act relating to the unlawful interception, use, or disclosure of certain wire, oral, or electronic communications.

Amendment No. 1

Representative Talton offered the following amendment to **HB 3373**:

Amend **HB 3373** by Yarbrough as follows:

On page 3, line 18, delete the new language after the word "public," and insert "unless the person who intercepts a radio communication discloses or transmits any information other than vehicle accident reports,"

Amendment No. 1 was adopted without objection.

HB 3373, as amended, was passed to engrossment.

CSHB 1175 ON SECOND READING
(by Thompson)

CSHB 1175, A bill to be entitled An Act relating to the method of selection of certain justices and judges.

Amendment No. 1

Representative Thompson offered the following amendment to **CSHB 1175**:

Amend **CSHB 1175** by striking all below the enacting clause and substituting the following:

SECTION 1. Section 41.002, Election Code, is amended to read as follows:

Sec. 41.002. GENERAL ELECTION FOR STATE AND COUNTY OFFICERS. (a) The general election for state and county officers, including the general nonpartisan judicial election, shall be held on the first Tuesday after the first Monday in November in even-numbered years.

(b) Any runoff nonpartisan judicial election shall be held on the first Tuesday after the first Monday in December following the general election.

SECTION 2. The Election Code is amended by adding Title 17 to read as follows:

TITLE 17. NONPARTISAN JUDICIAL ELECTIONS
CHAPTER 291. NONPARTISAN JUDICIAL ELECTION
SUBCHAPTER A. NONPARTISAN ELECTION OF
JUDGES GENERALLY

Sec. 291.001. APPLICABILITY OF CHAPTER. An appellate justice or judge is subject to nonpartisan election in accordance with this chapter at the last general nonpartisan judicial election to be held before the date the justice's or judge's term expires.

Sec. 291.002. PARTY NOMINATION PROHIBITED. Nomination for a nonpartisan judicial office by a political party is prohibited.

Sec. 291.003. VOTE REQUIRED FOR ELECTION. (a) To be elected to a nonpartisan judicial office, a candidate must receive a majority of the total number of votes received by all candidates for the office.

(b) If no candidate for a particular office receives the vote required for election, a runoff election for that office is required. Except as otherwise provided by this chapter, Subchapter B, Chapter 2, applies to a runoff election held under this chapter.

Sec. 291.004. APPLICABILITY OF OTHER PARTS OF CODE. The other titles of this code apply to a nonpartisan judicial election except provisions that are inconsistent with this title or that cannot feasibly be applied in a nonpartisan judicial election.

Sec. 291.005. ADDITIONAL PROCEDURES. The secretary of state shall prescribe any additional procedures necessary for the orderly and proper administration of elections held under this chapter.

[Sections 291.006-291.020 reserved for expansion]

SUBCHAPTER B. APPLICATION FOR PLACE ON BALLOT

Sec. 291.021. APPLICATION REQUIRED. (a) To be entitled to a place on the nonpartisan judicial election ballot, a candidate must make an application for a place on the ballot.

(b) An application must, in addition to complying with Section 141.031, be accompanied by the appropriate filing fee or, instead of the filing fee, a petition that satisfies the requirements prescribed by Section 141.062.

(c) An application filed by mail is considered to be filed at the time of its receipt by the appropriate authority.

(d) A candidate for an office specified by Section 291.024(a)(3) who chooses to pay the filing fee must also accompany the application with a petition that complies with the requirements prescribed for the petition authorized by Subsection (b), except that the minimum number of signatures that must appear on the petition required by this subsection is 250. If the candidate chooses to file the petition authorized by Subsection (b) instead of the filing fee, the minimum number of signatures required for that petition is increased by 250. Signatures on a petition filed under this subsection or Subsection (b) by a candidate covered by this subsection may not be obtained on the grounds of a county courthouse or courthouse annex.

Sec. 291.022. AUTHORITY WITH WHOM APPLICATION FILED. An application for a place on the nonpartisan judicial election ballot must be filed with the secretary of state.

Sec. 291.023. REGULAR FILING DEADLINE. (a) An application for a place on the nonpartisan judicial election ballot must be filed not later than 5 p.m. of the 70th day before election day, except as provided by Section 291.053.

(b) An application may not be filed earlier than the 30th day before the date of the regular filing deadline.

Sec. 291.024. Filing Fee. (a) The filing fee for a nonpartisan judicial candidate is as follows:

- (1) office elected statewide 3,000
- (2) chief justice or justice, court of appeals, other than a justice specified by Subdivision (3) 1,500
- (3) chief justice or justice of a court of appeals that serves a court of appeals district in which a county with a population of more than one million is wholly or partly situated 2,000

(b) A filing fee received by the secretary of state shall be deposited in the state treasury to the credit of the general revenue fund.

Sec. 291.025. Number of Petition Signatures Required. The minimum number of signatures that must appear on the petition authorized by Section 291.021 is:

(1) for a statewide office, 5,000; or

(2) for a district office, the lesser of:

(A) 500; or

(B) two percent of the total vote received in the district by all the candidates for governor in the most recent gubernatorial general election.

Sec. 291.026. Statement on Petition. The following statement must appear at the top of each page of a petition to be filed under Section 291.021: "I know that the purpose of this petition is to entitle (insert candidate's name) to have his or her name placed on the ballot for the office of (insert office title, including any place number or other distinguishing number) for the nonpartisan judicial election."

Sec. 291.027. Certification of Names for Placement on Nonpartisan Judicial Election Ballot. (a) Except as provided by Subsection (c), the secretary of state shall certify in writing for placement on the nonpartisan judicial election ballot the name of each candidate who files with the secretary an application that complies with Section 291.021(b).

(b) Not later than the 55th day before election day, the secretary of state shall deliver the certification to the authority responsible for having the official ballot prepared in each county in which the candidate's name is to appear on the ballot.

(c) A candidate's name may not be certified:

(1) if, before delivering the certification, the secretary of state learns that the name is to be omitted from the ballot under Section 291.054; or

(2) for an office for which the candidate's application is invalid under Section 141.033.

[Sections 291.028-291.050 reserved for expansion]

SUBCHAPTER C. WITHDRAWAL, DEATH, AND INELIGIBILITY OF CANDIDATE

Sec. 291.051. Withdrawal, Death, or Ineligibility Generally. With respect to withdrawal, death, or ineligibility of a candidate in a nonpartisan judicial election, this subchapter supersedes Subchapter A, Chapter 145, to the extent of any conflict.

Sec. 291.052. Withdrawal From Nonpartisan Judicial Election. (a) A candidate may not withdraw from the nonpartisan judicial election after the 65th day before election day.

(b) A withdrawal request must be filed with the authority with whom the withdrawing candidate's application for a place on the ballot is required to be filed.

Sec. 291.053. Extended Filing Deadline. (a) The deadline for filing an application for a place on the nonpartisan judicial election ballot is extended as provided by this section if a candidate who has made an application that complies with the applicable requirements:

(1) dies on or after the fifth day before the date of the regular filing deadline and on or before the 65th day before election day;

(2) holds the office for which the application was made and withdraws or is declared ineligible on or after the date of the regular filing deadline and on or before the 65th day before election day; or

(3) withdraws or is declared ineligible during the period prescribed by Subdivision (2), and at the time of the withdrawal or declaration of ineligibility no other candidate has made an application that complies with the applicable requirements for the office sought by the withdrawn or ineligible candidate.

(b) An application for an office sought by a withdrawn, deceased, or ineligible candidate must be filed not later than 5 p.m. of the 60th day before election day.

(c) If the deadline for filing applications is extended, notice of the extended filing shall be given in the same manner as provided for a primary election.

Sec. 291.054. Withdrawn, Deceased, or Ineligible Candidate's Name Omitted From Ballot. A candidate's name shall be omitted from the nonpartisan judicial election ballot if the candidate withdraws, dies, or is declared ineligible on or before the 65th day before election day.

Sec. 291.055. Deceased or Ineligible Candidate's Name to Appear on Ballot. If a candidate who has made an application for a place on the nonpartisan judicial election ballot that complies with the applicable requirements dies or is declared ineligible after the 65th day before election day, the candidate's name shall be placed on the ballot.

Sec. 291.056. WITHDRAWAL FROM RUNOFF. (a) A candidate may not withdraw from the runoff nonpartisan judicial election after 5 p.m. of the 10th day after the date of the general nonpartisan judicial election.

(b) A withdrawal request for the runoff must be filed with the authority with whom the withdrawing candidate's application for a place on the ballot is required to be filed.

(c) If a runoff candidate withdraws, the remaining candidate is the winner and the runoff election for that office is not held.

Sec. 291.057. DECEASED OR INELIGIBLE CANDIDATE'S NAME TO APPEAR ON RUNOFF BALLOT. If a candidate in the runoff nonpartisan judicial election dies or is declared ineligible before runoff election day, the candidate's name shall be placed on the ballot.

[Sections 291.058-291.070 reserved for expansion]

SUBCHAPTER D. CONDUCT OF ELECTION

Sec. 291.071. Nonpartisan Judicial Election Ballot. The nonpartisan judicial offices and candidates shall be listed as a separate ballot on the general election ballot following the partisan offices under the heading "Election For Nonpartisan Judicial Offices."

Sec. 291.072. General Procedure for Conduct of Nonpartisan Judicial Election. Except as otherwise provided by this code, the nonpartisan judicial election shall be conducted and the results canvassed, tabulated, and reported in the manner applicable to partisan offices in the general election for state and county officers.

Sec. 291.073. CERTIFICATION OF CANDIDATES FOR PLACEMENT ON RUNOFF BALLOT. (a) The secretary of state shall certify in writing for placement on the runoff nonpartisan judicial election ballot the name of each candidate who is to be a candidate in the runoff.

(b) The secretary of state shall deliver the certification to the authority

responsible for having the official ballot prepared in each affected county as soon as practicable after the state canvass of the general nonpartisan judicial election is completed.

Sec. 291.074. GENERAL PROCEDURE FOR CONDUCT OF RUNOFF NONPARTISAN JUDICIAL ELECTION. The runoff nonpartisan judicial election shall be conducted and the results canvassed, tabulated, and reported in the same manner as the general nonpartisan judicial election.

SECTION 3. Section 1.005, Election Code, is amended by amending Subdivision (9) and by adding Subdivisions (25) and (26) to read as follows:

(9) "Independent candidate" means a candidate in a nonpartisan election or a candidate in a partisan election who is not the nominee of a political party. The term does not include a nonpartisan judicial candidate.

(25) "Nonpartisan judicial election" means an election held under Title 17.

(26) "Nonpartisan judicial candidate" means a candidate in a nonpartisan judicial election.

SECTION 4. Section 52.092, Election Code, is amended by amending Subsections (a), (c), (d), and (g)-(j) and by adding Subsection (k) to read as follows:

(a) For an election at which offices regularly filled at the general election for state and county officers, including the nonpartisan judicial election, are to appear on the ballot, the offices shall be listed in the following order:

- (1) offices of the federal government;
- (2) offices of the state government:
 - (A) statewide offices;
 - (B) district offices;
- (3) offices of the county government:
 - (A) county offices;
 - (B) precinct offices.

(c) Statewide offices of the state government shall be listed in the following order:

- (1) governor;
- (2) lieutenant governor;
- (3) attorney general;
- (4) comptroller of public accounts;
- (5) ~~state treasurer;~~
- ~~[(6)]~~ commissioner of the General Land Office;
- (6) ~~[(7)]~~ commissioner of agriculture;
- (7) ~~[(8)]~~ railroad commissioner[;];
- ~~[(9)] chief justice, supreme court;~~
- ~~[(10)] justice, supreme court;~~
- ~~[(11)] presiding judge, court of criminal appeals;~~
- ~~[(12)] judge, court of criminal appeals].~~

(d) District offices of the state government shall be listed in the following order:

- (1) member, State Board of Education;
- (2) state senator;
- (3) state representative;

- (4) ~~chief justice, court of appeals;~~
- ~~[(5) justice, court of appeals;~~
- ~~[(6) district judge;~~
- (5) ~~[(7) criminal district judge;~~
- (6) ~~[(8) family district judge;~~
- (7) ~~[(9) district attorney;~~
- (8) ~~[(10) criminal district attorney.~~

(g) The nonpartisan judicial offices shall be listed in the following order:

- (1) chief justice, supreme court;
- (2) justice, supreme court;
- (3) presiding judge, court of criminal appeals;
- (4) judge, court of criminal appeals;
- (5) chief justice, court of appeals;
- (6) justice, court of appeals.

(h) ~~[(g)]~~ If two or more offices having the same title except for a place number or other distinguishing number are to appear on the ballot, the number shall appear as part of the office title and the offices shall be listed in numerical order.

(i) ~~[(h)]~~ The secretary of state shall assign a place number to each position to be filled at the nonpartisan judicial ~~[general]~~ election for ~~[state and county officers for each full or unexpired term in]~~ the following offices:

- (1) justice, supreme court;
- (2) judge, court of criminal appeals; and
- (3) justice, court of appeals in a court having a membership in excess of three, if distinguishing the positions to be filled is necessary.

(j) ~~[(i)]~~ The secretary of state shall designate the position of new offices on the ballot.

(k) ~~[(j)]~~ The office of judge of a multicounty statutory county court created under Subchapter D, Chapter 25, Government Code, is considered to be a county office for purposes of listing the office on the ballot and to be a district office for all other purposes under this code.

SECTION 5. Section 67.003, Election Code, is amended to read as follows:

Sec. 67.003. TIME FOR LOCAL CANVASS. Each local canvassing authority shall convene to conduct the local canvass not earlier than the second day or later than the sixth day after election day at the time set by the canvassing authority's presiding officer, except that the canvass for the nonpartisan judicial election shall be conducted not later than the third day after election day.

SECTION 6. Section 67.012(a), Election Code, is amended to read as follows:

(a) The governor shall conduct the state canvass not earlier than the 15th or later than the 30th day after election day at the time set by the secretary of state, except that the canvass for the nonpartisan judicial election shall be conducted not later than the 14th day after election day.

SECTION 7. Section 141.001(a), Election Code, is amended to read as follows:

(a) To be eligible to be a candidate for, or elected or appointed to, a public elective office in this state, a person must:

- (1) be a United States citizen;

(2) be 18 years of age or older on the first day of the term to be filled at the election or on the date of appointment, as applicable;

(3) have not been determined mentally incompetent by a final judgment of a court;

(4) have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities;

(5) have resided continuously in the state for 12 months and in the territory from which the office is elected for six months immediately preceding the following date:

(A) for a candidate whose name is to appear on a general primary election ballot, the date of the regular filing deadline for a candidate's application for a place on the ballot;

(B) for an independent candidate or a nonpartisan judicial candidate, the date of the regular filing deadline for a candidate's application for a place on the ballot;

(C) for a write-in candidate, the date of the election at which the candidate's name is written in;

(D) for a party nominee who is nominated by any method other than by primary election, the date the nomination is made; and

(E) for an appointee to an office, the date the appointment is made; and

(6) satisfy any other eligibility requirements prescribed by law for the office.

SECTION 8. Section 145.003(b), Election Code, is amended to read as follows:

(b) A candidate in the general election for state and county officers, including the nonpartisan judicial election, may be declared ineligible before the 30th day preceding election day by:

(1) the party officer responsible for certifying the candidate's name for placement on the general election ballot, in the case of a candidate who is a political party's nominee; or

(2) the authority with whom the candidate's application for a place on the ballot is required to be filed, in the case of an independent candidate or a nonpartisan judicial candidate, as applicable.

SECTION 9. Section 145.005(a), Election Code, is amended to read as follows:

(a) If the name of a deceased or ineligible candidate appears on the ballot [~~under this chapter~~], the votes cast for the candidate shall be counted and entered on the official election returns in the same manner as for the other candidates.

SECTION 10. Section 146.021, Election Code, is amended to read as follows:

Sec. 146.021. Applicability of Subchapter. This subchapter applies to a write-in candidate for an office that is to be voted on at the general election for state and county officers, including the nonpartisan judicial election.

SECTION 11. Sections 172.021(c) and (e), Election Code, are amended to read as follows:

(c) An application filed by mail is considered to be filed at the time of its receipt by the appropriate authority.

(e) A candidate for an office specified by Section 172.024(a)(8) or [;] (10)[;

~~or (12)~~, or for justice of the peace in a county with a population of more than one million [850,000], who chooses to pay the filing fee must also accompany the application with a petition that complies with the requirements prescribed for the petition authorized by Subsection (b), except that the minimum number of signatures that must appear on the petition required by this subsection is 250. If the candidate chooses to file the petition authorized by Subsection (b) instead of the filing fee, the minimum number of signatures required for that petition is increased by 250. Signatures on a petition filed under this subsection or Subsection (b) by a candidate covered by this subsection may not be obtained on the grounds of a county courthouse or courthouse annex.

SECTION 12. Section 172.024(a), Election Code, is amended to read as follows:

(a) The filing fee for a candidate for nomination in the general primary election is as follows:

- (1) United States senator \$4,000
- (2) office elected statewide, except United States senator 3,000
- (3) United States representative 2,500
- (4) state senator 1,000
- (5) state representative 600
- (6) member, State Board of Education 250
- (7) ~~chief justice or justice, court of appeals, other than a justice specified by Subdivision (8) 1,500~~
- ~~[(8) chief justice or justice of a court of appeals that serves a court of appeals district in which a county with a population of more than 850,000 is wholly or partly situated 2,000~~
- ~~[(9) district judge or judge specified by Section 52.092(d) for which this schedule does not otherwise prescribe a fee 1,200~~
- (8) ~~[(10)]~~ district or criminal district judge of a court in a judicial district wholly contained in a county with a population of more than one million [850,000] 2,000
- (9) ~~[(11)]~~ judge, statutory county court, other than a judge specified by Subdivision (10) ~~[(12)]~~ 1,200
- (10) ~~[(12)]~~ judge of a statutory county court in a county with a population of more than one million [850,000] 2,000
- (11) ~~[(13)]~~ district attorney, criminal district attorney, or county attorney performing the duties of a district attorney 1,000
- (12) ~~[(14)]~~ county commissioner or judge, constitutional county court:
 - (A) county with a population of 200,000 or more 1,000
 - (B) county with a population of under 200,000 600
- (13) ~~[(15)]~~ justice of the peace or constable:

(A) county with a population of 200,000 or more 800

(B) county with a population of under 200,000 300

(14) [~~16~~] county surveyor, inspector of hides and animals, or public weigher 50

(15) [~~17~~] office of the county government for which this schedule does not otherwise prescribe a fee 600

SECTION 13. Section 202.001, Election Code, is amended to read as follows:

Sec. 202.001. APPLICABILITY OF CHAPTER. (a) This chapter applies to elective offices of the state and county governments except the offices of state senator and state representative.

(b) This chapter does not apply to the office of justice or judge of an appellate court.

SECTION 14. Each supreme court justice, court of criminal appeals judge, and court of appeals justice in office January 1, 1998, unless otherwise removed as provided by law, continues in office for the term to which elected.

SECTION 15. This Act takes effect only if the constitutional amendment proposed by the 75th Legislature, Regular Session, 1997, relating to the filling by gubernatorial appointment of vacancies in the offices of appellate justices and judges and to the nonpartisan election of those justices and judges is adopted. If the amendment is adopted, this Act takes effect January 1, 1998.

SECTION 16. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Amendment No. 2

Representative Puente offered the following amendment to Amendment No. 1:

Amend the Thompson amendment to **CSHB 1175** by inserting appropriately numbered sections as follows and renumbering remaining sections accordingly:

SECTION _____. The Election Code is amended by adding Title 17 to read as follows:

TITLE 17. NONPARTISAN JUDICIAL ELECTIONS
CHAPTER 291. NONPARTISAN JUDICIAL ELECTION
SUBCHAPTER A. NONPARTISAN ELECTION OF
JUDGES GENERALLY

Sec. 291.001. APPLICABILITY OF CHAPTER. (a) A district judge is subject to nonpartisan election in accordance with this chapter at the last general nonpartisan judicial election to be held before the date the judge's term expires.

(b) The judges of the judicial districts composed entirely of a county with a population of 575,000 or more shall be elected from justice precincts.

(c) The secretary of state shall supervise the drawing of lots to determine the number of the justice precinct from which each of the district judges is elected. An equal number of district judges shall be elected from each justice precinct in a county.

Sec. 291.002. PARTY NOMINATION PROHIBITED. Nomination for a nonpartisan judicial office by a political party is prohibited.

Sec. 291.003. VOTE REQUIRED FOR ELECTION. (a) To be elected to a nonpartisan judicial office, a candidate must receive a majority of the total number of votes received by all candidates for the office.

(b) If no candidate for a particular office receives the vote required for election, a runoff election for that office is required. Except as otherwise provided by this chapter, Subchapter B, Chapter 2, applies to a runoff election held under this chapter.

Sec. 291.004. APPLICABILITY OF OTHER PARTS OF CODE. The other titles of this code apply to a nonpartisan judicial election except provisions that are inconsistent with this title or that cannot feasibly be applied in a nonpartisan judicial election.

Sec. 291.005. ADDITIONAL PROCEDURES. The secretary of state shall prescribe any additional procedures necessary for the orderly and proper administration of elections held under this chapter.

[Sections 291.006-291.020 reserved for expansion]

SUBCHAPTER B. APPLICATION FOR PLACE ON BALLOT

Sec. 291.021. APPLICATION REQUIRED. (a) To be entitled to a place on the nonpartisan judicial election ballot, a candidate must make an application for a place on the ballot.

(b) An application must, in addition to complying with Section 141.031, be accompanied by the appropriate filing fee or, instead of the filing fee, a petition that satisfies the requirements prescribed by Section 141.062.

(c) An application filed by mail is considered to be filed at the time of its receipt by the appropriate authority.

(d) A candidate for an office specified by Section 291.024(a)(2) who chooses to pay the filing fee must also accompany the application with a petition that complies with the requirements prescribed for the petition authorized by Subsection (b), except that the minimum number of signatures that must appear on the petition required by this subsection is 250. If the candidate chooses to file the petition authorized by Subsection (b) instead of the filing fee, the minimum number of signatures required for that petition is increased by 250. Signatures on a petition filed under this subsection or Subsection (b) by a candidate covered by this subsection may not be obtained on the grounds of a county courthouse or courthouse annex.

Sec. 291.022. AUTHORITY WITH WHOM APPLICATION FILED. An application for a place on the nonpartisan judicial election ballot must be filed with the secretary of state.

Sec. 291.023. REGULAR FILING DEADLINE. (a) An application for a place on the nonpartisan judicial election ballot must be filed not later than 5 p.m. of the 70th day before election day, except as provided by Section 291.053.

(b) An application may not be filed earlier than the 30th day before the date of the regular filing deadline.

Sec. 291.024. FILING FEE. (a) The filing fee for a nonpartisan judicial candidate is as follows:

(1) district judge, criminal district judge, or family district judge, other than a judge specified by Subdivision (2) \$1,200

(2) district or criminal district judge of a court in a judicial district wholly contained in a county with a population of more than one million \$2,000

(b) A filing fee received by the secretary of state shall be deposited in the state treasury to the credit of the general revenue fund.

Sec. 291.025. NUMBER OF PETITION SIGNATURES REQUIRED. The minimum number of signatures that must appear on the petition authorized by Section 291.021 is for a district office, the lesser of:

(A) 500; or

(B) two percent of the total vote received in the district by all the candidates for governor in the most recent gubernatorial general election.

Sec. 291.026. Statement on Petition. The following statement must appear at the top of each page of a petition to be filed under Section 291.021: "I know that the purpose of this petition is to entitle (insert candidate's name) to have his or her name placed on the ballot for the office of (insert office title, including any place number or other distinguishing number) for the nonpartisan judicial election."

Sec. 291.027. CERTIFICATION OF NAMES FOR PLACEMENT ON NONPARTISAN JUDICIAL ELECTION BALLOT. (a) Except as provided by Subsection (c), the secretary of state shall certify in writing for placement on the nonpartisan judicial election ballot the name of each candidate who files with the secretary an application that complies with Section 291.021(b).

(b) Not later than the 55th day before election day, the secretary of state shall deliver the certification to the authority responsible for having the official ballot prepared in each county in which the candidate's name is to appear on the ballot.

(c) A candidate's name may not be certified:

(1) if, before delivering the certification, the secretary of state learns that the name is to be omitted from the ballot under Section 291.054; or

(2) for an office for which the candidate's application is invalid under Section 141.033.

[Sections 291.028-291.050 reserved for expansion]

SUBCHAPTER C. WITHDRAWAL, DEATH, AND INELIGIBILITY OF CANDIDATE

Sec. 291.051. WITHDRAWAL, DEATH, OR INELIGIBILITY GENERALLY. With respect to withdrawal, death, or ineligibility of a candidate in a nonpartisan judicial election, this subchapter supersedes Subchapter A, Chapter 145, to the extent of any conflict.

Sec. 291.052. WITHDRAWAL FROM NONPARTISAN JUDICIAL ELECTION. (a) A candidate may not withdraw from the nonpartisan judicial election after the 65th day before election day.

(b) A withdrawal request must be filed with the authority with whom the withdrawing candidate's application for a place on the ballot is required to be filed.

Sec. 291.053. EXTENDED FILING DEADLINE. (a) The deadline for filing an application for a place on the nonpartisan judicial election ballot is extended as provided by this section if a candidate who has made an application that complies with the applicable requirements:

(1) dies on or after the fifth day before the date of the regular filing deadline and on or before the 65th day before election day;

(2) holds the office for which the application was made and withdraws or is declared ineligible on or after the date of the regular filing deadline and on or before the 65th day before election day; or

(3) withdraws or is declared ineligible during the period prescribed by Subdivision (2), and at the time of the withdrawal or declaration of ineligibility no other candidate has made an application that complies with the applicable requirements for the office sought by the withdrawn or ineligible candidate.

(b) An application for an office sought by a withdrawn, deceased, or ineligible candidate must be filed not later than 5 p.m. of the 60th day before election day.

(c) If the deadline for filing applications is extended, notice of the extended filing shall be given in the same manner as provided for a primary election.

Sec. 291.054. WITHDRAWN, DECEASED, OR INELIGIBLE CANDIDATE'S NAME OMITTED FROM BALLOT. A candidate's name shall be omitted from the nonpartisan judicial election ballot if the candidate withdraws, dies, or is declared ineligible on or before the 65th day before election day.

Sec. 291.055. DECEASED OR INELIGIBLE CANDIDATE'S NAME TO APPEAR ON BALLOT. If a candidate who has made an application for a place on the nonpartisan judicial election ballot that complies with the applicable requirements dies or is declared ineligible after the 65th day before election day, the candidate's name shall be placed on the ballot.

Sec. 291.056. WITHDRAWAL FROM RUNOFF. (a) A candidate may not withdraw from the runoff nonpartisan judicial election after 5 p.m. of the 10th day after the date of the general nonpartisan judicial election.

(b) A withdrawal request for the runoff must be filed with the authority with whom the withdrawing candidate's application for a place on the ballot is required to be filed.

(c) If a runoff candidate withdraws, the remaining candidate is the winner and the runoff election for that office is not held.

Sec. 291.057. DECEASED OR INELIGIBLE CANDIDATE'S NAME TO APPEAR ON RUNOFF BALLOT. If a candidate in the runoff nonpartisan judicial election dies or is declared ineligible before runoff election day, the candidate's name shall be placed on the ballot.

[Sections 291.058-291.070 reserved for expansion]
SUBCHAPTER D. CONDUCT OF ELECTION

Sec. 291.071. Nonpartisan Judicial Election Ballot. The nonpartisan judicial offices and candidates shall be listed as a separate ballot on the general election ballot following the partisan offices under the heading "Election For Nonpartisan Judicial Offices."

Sec. 291.072. General Procedure for Conduct of Nonpartisan Judicial Election. Except as otherwise provided by this code, the nonpartisan judicial election shall be conducted and the results canvassed, tabulated, and reported in the manner applicable to partisan offices in the general election for state and county officers.

Sec. 291.073. CERTIFICATION OF CANDIDATES FOR PLACEMENT ON RUNOFF BALLOT. (a) The secretary of state shall certify in writing for

placement on the runoff nonpartisan judicial election ballot the name of each candidate who is to be a candidate in the runoff.

(b) The secretary of state shall deliver the certification to the authority responsible for having the official ballot prepared in each affected county as soon as practicable after the state canvass of the general nonpartisan judicial election is completed.

Sec. 291.074. GENERAL PROCEDURE FOR CONDUCT OF RUNOFF NONPARTISAN JUDICIAL ELECTION. The runoff nonpartisan judicial election shall be conducted and the results canvassed, tabulated, and reported in the same manner as the general nonpartisan judicial election.

SECTION _____. Section 52.092, Election Code, is amended by amending Subsections (a), (d), and (g)-(j) and by adding Subsection (k) to read as follows:

(a) For an election at which offices regularly filled at the general election for state and county officers, including the nonpartisan judicial election, are to appear on the ballot, the offices shall be listed in the following order:

- (1) offices of the federal government;
- (2) offices of the state government:
 - (A) statewide offices;
 - (B) district offices;
- (3) offices of the county government:
 - (A) county offices;
 - (B) precinct offices.

(d) District offices of the state government shall be listed in the following order:

- (1) member, State Board of Education;
- (2) state senator;
- (3) state representative;
- (4) chief justice, court of appeals;
- (5) justice, court of appeals;
- ~~[(6) district judge;]~~
- ~~[(7) criminal district judge;]~~
- ~~[(8) family district judge;]~~
- (6) [(9)] district attorney;
- (7) [(10)] criminal district attorney.

(g) The nonpartisan judicial offices shall be listed in the following order:

- (1) district judge;
- (2) criminal district judge;
- (3) family district judge.

(h) [(g)] If two or more offices having the same title except for a place number or other distinguishing number are to appear on the ballot, the number shall appear as part of the office title and the offices shall be listed in numerical order.

(i) [(h)] The secretary of state shall assign a place number to each position to be filled at the general election for state and county officers for each full or unexpired term in the following offices:

- (1) justice, supreme court;
- (2) judge, court of criminal appeals; and
- (3) justice, court of appeals in a court having a membership in excess of three, if distinguishing the positions to be filled is necessary.

(j) [(†)] The secretary of state shall designate the position of new offices on the ballot.

(k) [(‡)] The office of judge of a multicounty statutory county court created under Subchapter D, Chapter 25, Government Code, is considered to be a county office for purposes of listing the office on the ballot and to be a district office for all other purposes under this code.

SECTION _____. Section 141.001(a), Election Code, is amended to read as follows:

(a) To be eligible to be a candidate for, or elected or appointed to, a public elective office in this state, a person must:

- (1) be a United States citizen;
- (2) be 18 years of age or older on the first day of the term to be filled at the election or on the date of appointment, as applicable;
- (3) have not been determined mentally incompetent by a final judgment of a court;

(4) have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities;

(5) have resided continuously in the state for 12 months and in the territory from which the office is elected for six months immediately preceding the following date:

(A) for a candidate whose name is to appear on a general primary election ballot, the date of the regular filing deadline for a candidate's application for a place on the ballot;

(B) for an independent candidate or a nonpartisan judicial candidate, the date of the regular filing deadline for a candidate's application for a place on the ballot;

(C) for a write-in candidate, the date of the election at which the candidate's name is written in;

(D) for a party nominee who is nominated by any method other than by primary election, the date the nomination is made; and

(E) for an appointee to an office, the date the appointment is made; and

(6) satisfy any other eligibility requirements prescribed by law for the office.

SECTION _____. Section 202.001, Election Code, is amended to read as follows:

Sec. 202.001. APPLICABILITY OF CHAPTER. (a) This chapter applies to elective offices of the state and county governments except the offices of state senator and state representative.

(b) This chapter does not apply to the office of district judge.

SECTION _____. Each district judge in office January 1, 1998, unless otherwise removed as provided by law, continues in office for the term to which elected.

SECTION _____. This Act takes effect only if the constitutional amendment proposed by the 75th Legislature, Regular Session, 1997, relating to the filling by gubernatorial appointment of vacancies in the offices of district judges and to the nonpartisan election of those judges is adopted. If the amendment is adopted, this Act takes effect January 1, 1998.

(Eiland in the chair)

Representative Goodman moved to table Amendment No. 2.

A record vote was requested.

The motion to table prevailed by (Record 424): 72 Yeas, 58 Nays, 5 Present, not voting.

Yeas — Allen; Averitt; Bonnen; Brimer; Carter; Chisum; Christian; Clark; Corte; Crabb; Craddick; Culberson; Danburg; Denny; Driver; Elkins; Finnell; Galloway; Goodman; Goolsby; Gray; Grusendorf; Haggerty; Hamric; Hartnett; Heflin; Hilbert; Hilderbran; Hill; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Kamel; Keffer; Krusee; Kuempel; Madden; Marchant; McCall; McReynolds; Merritt; Moffat; Mowery; Nixon; Palmer; Patterson; Pitts; Reyna, E.; Rhodes; Roman; Seaman; Shields; Siebert; Smith; Smithee; Solomons; Staples; Talton; Uher; Walker; West; Williams; Williamson; Wohlgemuth; Wolens; Woolley.

Nays — Alexander; Alvarado; Bailey; Berlanga; Bosse; Burnam; Chavez; Davila; Davis; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Farrar; Flores; Garcia; Giddings; Glaze; Greenberg; Gutierrez; Hawley; Hernandez; Hightower; Hinojosa; Hirschi; Hochberg; Hodge; Jones, J.; Keel; King; Kubiak; Lewis, G.; Lewis, R.; Longoria; Luna; Maxey; McClendon; Moreno; Oakley; Olivo; Pickett; Price; Puente; Rangel; Raymond; Reyna, A.; Sadler; Solis; Thompson; Tillery; Torres; Turner, S.; Van de Putte; Wilson; Wise; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker; Cook; Counts; Eiland(C); Turner, B.

Absent, Excused — Cuellar; Oliveira; Rabuck; Serna.

Absent, Excused, Committee Meeting — Coleman; Delisi; Gallego; Junell; Swinford.

Absent — Naishtat; Place; Ramsay; Stiles; Telford.

STATEMENT OF VOTE

When Record No. 424 was taken, I was in the house but away from my desk. I would have voted yes.

Place

Amendment No. 3

Representative Dutton offered the following amendment to Amendment No. 1:

Amend the Thompson Amendment to **CSHB 1175** by inserting appropriately numbered sections as follows and renumbering remaining sections accordingly:

SECTION _____. The Election Code is amended by adding Title 17 to read as follows:

TITLE 17. NONPARTISAN JUDICIAL ELECTIONS
CHAPTER 291. NONPARTISAN JUDICIAL ELECTION
SUBCHAPTER A. NONPARTISAN ELECTION OF
JUDGES GENERALLY

Sec. 291.001. APPLICABILITY OF CHAPTER. (a) A district judge is subject to nonpartisan election in accordance with this chapter at the last general

nonpartisan judicial election to be held before the date the judge's term expires.

(b) The judges of the judicial districts composed entirely of a county with a population of 575,000 or more shall be elected from commissioners court precincts.

(c) The secretary of state shall supervise the drawing of lots to determine the number of the commissioners court precinct from which each of the district judges is elected. An equal number of district judges shall be elected from each commissioners court precinct in a county.

Sec. 291.002. PARTY NOMINATION PROHIBITED. Nomination for a nonpartisan judicial office by a political party is prohibited.

Sec. 291.003. VOTE REQUIRED FOR ELECTION. (a) To be elected to a nonpartisan judicial office, a candidate must receive a majority of the total number of votes received by all candidates for the office.

(b) If no candidate for a particular office receives the vote required for election, a runoff election for that office is required. Except as otherwise provided by this chapter, Subchapter B, Chapter 2, applies to a runoff election held under this chapter.

Sec. 291.004. APPLICABILITY OF OTHER PARTS OF CODE. The other titles of this code apply to a nonpartisan judicial election except provisions that are inconsistent with this title or that cannot feasibly be applied in a nonpartisan judicial election.

Sec. 291.005. ADDITIONAL PROCEDURES. The secretary of state shall prescribe any additional procedures necessary for the orderly and proper administration of elections held under this chapter.

[Sections 291.006-291.020 reserved for expansion]

SUBCHAPTER B. APPLICATION FOR PLACE ON BALLOT

Sec. 291.021. APPLICATION REQUIRED. (a) To be entitled to a place on the nonpartisan judicial election ballot, a candidate must make an application for a place on the ballot.

(b) An application must, in addition to complying with Section 141.031, be accompanied by the appropriate filing fee or, instead of the filing fee, a petition that satisfies the requirements prescribed by Section 141.062.

(c) An application filed by mail is considered to be filed at the time of its receipt by the appropriate authority.

(d) A candidate for an office specified by Section 291.024(a)(2) who chooses to pay the filing fee must also accompany the application with a petition that complies with the requirements prescribed for the petition authorized by Subsection (b), except that the minimum number of signatures that must appear on the petition required by this subsection is 250. If the candidate chooses to file the petition authorized by Subsection (b) instead of the filing fee, the minimum number of signatures required for that petition is increased by 250. Signatures on a petition filed under this subsection or Subsection (b) by a candidate covered by this subsection may not be obtained on the grounds of a county courthouse or courthouse annex.

Sec. 291.022. AUTHORITY WITH WHOM APPLICATION FILED. An application for a place on the nonpartisan judicial election ballot must be filed with the secretary of state.

Sec. 291.023. REGULAR FILING DEADLINE. (a) An application for a

place on the nonpartisan judicial election ballot must be filed not later than 5 p.m. of the 70th day before election day, except as provided by Section 291.053.

(b) An application may not be filed earlier than the 30th day before the date of the regular filing deadline.

Sec. 291.024. FILING FEE. (a) The filing fee for a nonpartisan judicial candidate is as follows:

(1) district judge, criminal district judge, or family district judge, other than a judge specified by Subdivision (2) \$1,2000

(2) district or criminal district judge of a court in a judicial district wholly contained in a county with a population of more than one million \$2,000

(b) A filing fee received by the secretary of state shall be deposited in the state treasury to the credit of the general revenue fund.

Sec. 291.025. Number of Petition Signatures Required. The minimum number of signatures that must appear on the petition authorized by Section 291.021 is for a district office, the lesser of:

(A) 500; or

(B) two percent of the total vote received in the district by all the candidates for governor in the most recent gubernatorial general election.

Sec. 291.026. STATEMENT ON PETITION. The following statement must appear at the top of each page of a petition to be filed under Section 291.021: "I know that the purpose of this petition is to entitle (insert candidate's name) to have his or her name placed on the ballot for the office of (insert office title, including any place number or other distinguishing number) for the nonpartisan judicial election."

Sec. 291.027. CERTIFICATION OF NAMES FOR PLACEMENT ON NONPARTISAN JUDICIAL ELECTION BALLOT. (a) Except as provided by Subsection (c), the secretary of state shall certify in writing for placement on the nonpartisan judicial election ballot the name of each candidate who files with the secretary an application that complies with Section 291.021(b).

(b) Not later than the 55th day before election day, the secretary of state shall deliver the certification to the authority responsible for having the official ballot prepared in each county in which the candidate's name is to appear on the ballot.

(c) A candidate's name may not be certified:

(1) if, before delivering the certification, the secretary of state learns that the name is to be omitted from the ballot under Section 291.054; or

(2) for an office for which the candidate's application is invalid under Section 141.033.

[Sections 291.028-291.050 reserved for expansion]

SUBCHAPTER C. WITHDRAWAL, DEATH, AND
INELIGIBILITY OF CANDIDATE

Sec. 291.051. WITHDRAWAL, DEATH, OR INELIGIBILITY GENERALLY. With respect to withdrawal, death, or ineligibility of a

candidate in a nonpartisan judicial election, this subchapter supersedes Subchapter A, Chapter 145, to the extent of any conflict.

Sec. 291.052. WITHDRAWAL FROM NONPARTISAN JUDICIAL ELECTION. (a) A candidate may not withdraw from the nonpartisan judicial election after the 65th day before election day.

(b) A withdrawal request must be filed with the authority with whom the withdrawing candidate's application for a place on the ballot is required to be filed.

Sec. 291.053. EXTENDED FILING DEADLINE. (a) The deadline for filing an application for a place on the nonpartisan judicial election ballot is extended as provided by this section if a candidate who has made an application that complies with the applicable requirements:

(1) dies on or after the fifth day before the date of the regular filing deadline and on or before the 65th day before election day;

(2) holds the office for which the application was made and withdraws or is declared ineligible on or after the date of the regular filing deadline and on or before the 65th day before election day; or

(3) withdraws or is declared ineligible during the period prescribed by Subdivision (2), and at the time of the withdrawal or declaration of ineligibility no other candidate has made an application that complies with the applicable requirements for the office sought by the withdrawn or ineligible candidate.

(b) An application for an office sought by a withdrawn, deceased, or ineligible candidate must be filed not later than 5 p.m. of the 60th day before election day.

(c) If the deadline for filing applications is extended, notice of the extended filing shall be given in the same manner as provided for a primary election.

Sec. 291.054. WITHDRAWN, DECEASED, OR INELIGIBLE CANDIDATE'S NAME OMITTED FROM BALLOT. A candidate's name shall be omitted from the nonpartisan judicial election ballot if the candidate withdraws, dies, or is declared ineligible on or before the 65th day before election day.

Sec. 291.055. DECEASED OR INELIGIBLE CANDIDATE'S NAME TO APPEAR ON BALLOT. If a candidate who has made an application for a place on the nonpartisan judicial election ballot that complies with the applicable requirements dies or is declared ineligible after the 65th day before election day, the candidate's name shall be placed on the ballot.

Sec. 291.056. WITHDRAWAL FROM RUNOFF. (a) A candidate may not withdraw from the runoff nonpartisan judicial election after 5 p.m. of the 10th day after the date of the general nonpartisan judicial election.

(b) A withdrawal request for the runoff must be filed with the authority with whom the withdrawing candidate's application for a place on the ballot is required to be filed.

(c) If a runoff candidate withdraws, the remaining candidate is the winner and the runoff election for that office is not held.

Sec. 291.057. DECEASED OR INELIGIBLE CANDIDATE'S NAME TO APPEAR ON RUNOFF BALLOT. If a candidate in the runoff nonpartisan judicial election dies or is declared ineligible before runoff election day, the candidate's name shall be placed on the ballot.

[Sections 291.058-291.070 reserved for expansion]

SUBCHAPTER D. CONDUCT OF ELECTION

Sec. 291.071. NONPARTISAN JUDICIAL ELECTION BALLOT. The nonpartisan judicial offices and candidates shall be listed as a separate ballot on the general election ballot following the partisan offices under the heading "Election For Nonpartisan Judicial Offices."

Sec. 291.072. GENERAL PROCEDURE FOR CONDUCT OF NONPARTISAN JUDICIAL ELECTION. Except as otherwise provided by this code, the nonpartisan judicial election shall be conducted and the results canvassed, tabulated, and reported in the manner applicable to partisan offices in the general election for state and county officers.

Sec. 291.073. CERTIFICATION OF CANDIDATES FOR PLACEMENT ON RUNOFF BALLOT. (a) The secretary of state shall certify in writing for placement on the runoff nonpartisan judicial election ballot the name of each candidate who is to be a candidate in the runoff.

(b) The secretary of state shall deliver the certification to the authority responsible for having the official ballot prepared in each affected county as soon as practicable after the state canvass of the general nonpartisan judicial election is completed.

Sec. 291.074. GENERAL PROCEDURE FOR CONDUCT OF RUNOFF NONPARTISAN JUDICIAL ELECTION. The runoff nonpartisan judicial election shall be conducted and the results canvassed, tabulated, and reported in the same manner as the general nonpartisan judicial election.

SECTION _____. Section 52.092, Election Code, is amended by amending Subsections (a), (d), and (g)-(j) and by adding Subsection (k) to read as follows:

(a) For an election at which offices regularly filled at the general election for state and county officers, including the nonpartisan judicial election, are to appear on the ballot, the offices shall be listed in the following order:

- (1) offices of the federal government;
- (2) offices of the state government:
 - (A) statewide offices;
 - (B) district offices;
- (3) offices of the county government:
 - (A) county offices;
 - (B) precinct offices.

(d) District offices of the state government shall be listed in the following order:

- (1) member, State Board of Education;
- (2) state senator;
- (3) state representative;
- (4) chief justice, court of appeals;
- (5) justice, court of appeals;
- ~~[(6) district judge;]~~
- ~~[(7) criminal district judge;]~~
- ~~[(8) family district judge;]~~
- ~~(6) [(9)] district attorney;~~

(7) [~~(10)~~] criminal district attorney.

(g) The nonpartisan judicial offices shall be listed in the following order:

(1) district judge;

(2) criminal district judge;

(3) family district judge.

(h) [~~(g)~~] If two or more offices having the same title except for a place number or other distinguishing number are to appear on the ballot, the number shall appear as part of the office title and the offices shall be listed in numerical order.

(i) [~~(h)~~] The secretary of state shall assign a place number to each position to be filled at the general election for state and county officers for each full or unexpired term in the following offices:

(1) justice, supreme court;

(2) judge, court of criminal appeals; and

(3) justice, court of appeals in a court having a membership in excess of three, if distinguishing the positions to be filled is necessary.

(j) [~~(i)~~] The secretary of state shall designate the position of new offices on the ballot.

(k) [~~(j)~~] The office of judge of a multicounty statutory county court created under Subchapter D, Chapter 25, Government Code, is considered to be a county office for purposes of listing the office on the ballot and to be a district office for all other purposes under this code.

SECTION _____. Section 141.001(a), Election Code, is amended to read as follows:

(a) To be eligible to be a candidate for, or elected or appointed to, a public elective office in this state, a person must:

(1) be a United States citizen;

(2) be 18 years of age or older on the first day of the term to be filled at the election or on the date of appointment, as applicable;

(3) have not been determined mentally incompetent by a final judgment of a court;

(4) have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities;

(5) have resided continuously in the state for 12 months and in the territory from which the office is elected for six months immediately preceding the following date:

(A) for a candidate whose name is to appear on a general primary election ballot, the date of the regular filing deadline for a candidate's application for a place on the ballot;

(B) for an independent candidate or a nonpartisan judicial candidate, the date of the regular filing deadline for a candidate's application for a place on the ballot;

(C) for a write-in candidate, the date of the election at which the candidate's name is written in;

(D) for a party nominee who is nominated by any method other than by primary election, the date the nomination is made; and

(E) for an appointee to an office, the date the appointment is made; and

(6) satisfy any other eligibility requirements prescribed by law for the office.

SECTION _____. Section 202.001, Election Code, is amended to read as follows:

Sec. 202.001. APPLICABILITY OF CHAPTER. (a) This chapter applies to elective offices of the state and county governments except the offices of state senator and state representative.

(b) This chapter does not apply to the office of district judge.

SECTION _____. Each district judge, in office January 1, 1998, unless otherwise removed as provided by law, continues in office for the term to which elected.

SECTION _____. This Act takes effect only if the constitutional amendment proposed by the 75th Legislature, Regular Session, 1997, relating to the filling by gubernatorial appointment of vacancies in the offices of district judges and to the nonpartisan election of those judges is adopted. If the amendment is adopted, this Act takes effect January 1, 1998.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of important business:

Gutierrez on motion of Solis.

CSHB 1175 - (consideration continued)

Representative Goodman moved to table Amendment No. 3.

A record vote was requested.

The motion to table prevailed by (Record 425): 75 Yeas, 57 Nays, 2 Present, not voting.

Yeas — Allen; Averitt; Bonnen; Brimer; Carter; Chisum; Christian; Clark; Corte; Counts; Crabb; Craddick; Culberson; Danburg; Denny; Driver; Elkins; Finnell; Galloway; Goodman; Goolsby; Gray; Grusendorf; Haggerty; Hamric; Hartnett; Heflin; Hilbert; Hilderbran; Hill; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Kamel; Keel; Keffer; Krusee; Kuempel; Madden; Marchant; McCall; Merritt; Moffat; Mowery; Nixon; Palmer; Pitts; Place; Reyna, E.; Rhodes; Roman; Seaman; Shields; Siebert; Smith; Smithee; Solomons; Staples; Talton; Turner, B.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wohlgemuth; Wolens; Woolley.

Nays — Alexander; Alvarado; Bailey; Berlanga; Bosse; Burnam; Chavez; Cook; Davila; Davis; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Farrar; Flores; Garcia; Giddings; Glaze; Greenberg; Hernandez; Hirschi; Hochberg; Hodge; Jones, J.; King; Kubiak; Lewis, G.; Lewis, R.; Longoria; Luna; Maxey; McClendon; McReynolds; Moreno; Naishtat; Oakley; Olivo; Patterson; Pickett; Price; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Sadler; Solis; Thompson; Tillery; Torres; Turner, S.; Wilson; Wise; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker; Eiland(C).

Absent, Excused — Cuellar; Gutierrez; Oliveira; Rabuck; Serna.

Absent, Excused, Committee Meeting — Coleman; Delisi; Gallego; Junell; Swinford.

Absent — Hawley; Hightower; Hinojosa; Stiles; Telford.

Amendment No. 4

Representative Garcia offered the following amendment to Amendment No. 1:

Amend the Thompson amendment to **CSHB 1175** on page 1 in Section 291.001, Election Code, as added, by inserting a new sentence as follows:

"District judges are subject to nonpartisan election in accordance with this chapter in the same manner notwithstanding any conflicting provision of this code.

Representative Nixon moved to table Amendment No. 4.

A record vote was requested.

The motion to table prevailed by (Record 426): 76 Yeas, 60 Nays, 2 Present, not voting.

Yeas — Allen; Averitt; Bonnen; Brimer; Carter; Chisum; Christian; Clark; Cook; Corte; Counts; Crabb; Craddick; Culberson; Denny; Driver; Dunnam; Elkins; Finnell; Galloway; Goodman; Goolsby; Gray; Grusendorf; Haggerty; Hamric; Hartnett; Heflin; Hilbert; Hilderbran; Hill; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Kamel; Keel; Keffer; King; Krusee; Kuempel; Madden; Marchant; McCall; Merritt; Moffat; Mowery; Nixon; Palmer; Patterson; Pitts; Ramsay; Reyna, E.; Roman; Seaman; Shields; Siebert; Smith; Smithee; Solomons; Staples; Stiles; Talton; Turner, B.; Uher; Walker; West; Williams; Williamson; Wohlgemuth; Woolley.

Nays — Alexander; Alvarado; Bailey; Berlanga; Bosse; Burnam; Chavez; Danburg; Davila; Davis; Dukes; Dutton; Edwards; Ehrhardt; Farrar; Flores; Garcia; Giddings; Glaze; Greenberg; Hawley; Hernandez; Hightower; Hirschi; Hochberg; Hodge; Jones, J.; Kubiak; Lewis, G.; Lewis, R.; Longoria; Luna; Maxey; McClendon; McReynolds; Moreno; Naishtat; Oakley; Olivo; Pickett; Place; Price; Puente; Rangel; Raymond; Reyna, A.; Rhodes; Sadler; Solis; Telford; Thompson; Tillery; Torres; Turner, S.; Van de Putte; Wilson; Wise; Wolens; Yarbrough; Zbraneck.

Present, not voting — Mr. Speaker; Eiland(C).

Absent, Excused — Cuellar; Gutierrez; Oliveira; Rabuck; Serna.

Absent, Excused, Committee Meeting — Coleman; Delisi; Gallego; Junell; Swinford.

Absent — Hinojosa.

STATEMENT OF VOTE

I was shown voting yes on Record No. 426. I intended to vote no.

Stiles

Amendment No. 1 was adopted without objection.

A record vote was requested.

The vote of the house was taken on passage to engrossment of **CSHB 1175**, as amended, and the vote was announced yeas 69, nays 66.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 427): 67 Yeas, 66 Nays, 2 Present, not voting.

Yeas — Alexander; Alvarado; Bailey; Berlanga; Bosse; Burnam; Chavez; Cook; Counts; Danburg; Davila; Davis; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Farrar; Flores; Garcia; Giddings; Glaze; Gray; Greenberg; Hartnett; Hawley; Hernandez; Hightower; Hirschi; Hochberg; Hodge; Jones, J.; King; Kubiak; Lewis, G.; Lewis, R.; Luna; Maxey; McClendon; McReynolds; Moreno; Naishtat; Oakley; Olivo; Patterson; Pickett; Place; Price; Puente; Rangel; Raymond; Reyna, A.; Rhodes; Sadler; Solis; Stiles; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Van de Putte; Wise; Wolens; Yarbrough; Zbranek.

Nays — Allen; Averitt; Bonnen; Brimer; Carter; Chisum; Christian; Clark; Corte; Crabb; Craddick; Culberson; Denny; Driver; Elkins; Finnell; Galloway; Goodman; Goolsby; Grusendorf; Haggerty; Hamric; Heflin; Hilbert; Hilderbran; Hill; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Kamel; Keel; Keffer; Krusee; Kuempel; Madden; Marchant; McCall; Merritt; Moffat; Mowery; Nixon; Palmer; Pitts; Ramsay; Reyna, E.; Roman; Seaman; Shields; Siebert; Smith; Smithee; Solomons; Staples; Talton; Uher; Walker; West; Williams; Wohlgemuth; Woolley.

Present, not voting — Mr. Speaker; Eiland(C).

Absent, Excused — Cuellar; Gutierrez; Oliveira; Rabuck; Serna.

Absent, Excused, Committee Meeting — Coleman; Delisi; Gallego; Junell; Swinford.

Absent — Hinojosa; Longoria; Williamson; Wilson.

The chair stated that **CSHB 1175**, as amended, was passed to engrossment by the above vote.

(Speaker in the chair)

CONSTITUTIONAL AMENDMENTS CALENDAR
HOUSE JOINT RESOLUTIONS
SECOND READING

The following resolutions were laid before the house and read second time:

HJR 18 ON SECOND READING
(by West)

HJR 18, A joint resolution proposing a constitutional amendment to allow peace officers to serve as notaries public.

A record vote was requested.

HJR 18 was adopted by (Record 428): 135 Yeas, 1 Nay, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Cook; Corte; Counts; Crabb; Craddick; Culberson; Danburg; Davila; Davis; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Garcia; Giddings; Glaze; Goolsby; Gray; Greenberg; Grusendorf; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Stiles; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Nay — Goodman.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cuellar; Gutierrez; Oliveira; Rabuck; Serna.

Absent, Excused, Committee Meeting — Coleman; Delisi; Gallego; Junell; Swinford.

Absent — Galloway; Longoria.

HJR 104 ON SECOND READING (by Mowery)

HJR 104, A joint resolution proposing a constitutional amendment relating to eliminating duplicate numbering in and certain obsolete provisions of the Texas Constitution.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Carter, Representative Mowery offered the following committee amendment to **HJR 104**:

Amend **HJR 104** to read as follows:

(1) On page 4, strike lines 4-8 and substitute "Sec. 3. One-fourth of the revenue derived from the State occupation taxes [~~and poll tax of one dollar on every inhabitant of the State, between the ages of twenty-one and sixty years;~~] shall be set apart annually for the benefit of the public free schools; and in addition thereto, [~~there shall be levied and~~".

(2) On page 4, line 19, strike "~~and the~~]" and substitute "~~and~~]" the".

Amendment No. 1 was adopted without objection.

A record vote was requested.

HJR 104, as amended, was adopted by (Record 429): 126 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Cook; Corte; Counts; Crabb; Craddick; Culberson; Danburg; Davila; Davis; Denny; Driver; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Grusendorf; Haggerty; Hamric; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; Merritt; Moffat; Mowery; Naishtat; Nixon; Olivo; Palmer; Pickett; Pitts; Place; Price; Puente; Ramsay; Rangel; Raymond; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Stiles; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cuellar; Gutierrez; Oliveira; Rabuck; Serna;

Absent, Excused, Committee Meeting — Coleman; Delisi; Gallego; Junell; Swinford.

Absent — Dukes; Galloway; Greenberg; Hartnett; Hawley; Lewis, G.; McReynolds; Moreno; Oakley; Patterson; Reyna, A.; Uher.

CSHJR 69 ON SECOND READING (by Thompson)

CSHJR 69, A joint resolution proposing a constitutional amendment providing for the method of selection of certain justices and judges.

CSHJR 69 - LAID ON THE TABLE SUBJECT TO CALL

Representative Thompson moved to lay **CSHJR 69** on the table subject to call.

The motion prevailed without objection.

GENERAL STATE CALENDAR **HOUSE BILLS** **THIRD READING**

The following bills were laid before the house and read third time:

HB 159 ON THIRD READING (by Driver, Crabb, and Oliveira)

HB 159, A bill to be entitled An Act relating to assignments by certain recipients of state assistance of lottery prizes to the state and collection of those assignments.

HB 159 was passed.

HB 1467 ON THIRD READING
(by Puente)

HB 1467, A bill to be entitled An Act relating to extending the period of community supervision for certain persons convicted of a misdemeanor.

HB 1467 was passed.

GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING

The following bills were laid before the house and read second time:

CSHB 2396 ON SECOND READING
(by Finnell, Howard, et al.)

CSHB 2396, A bill to be entitled An Act relating to the prevention of horse theft.

CSHB 2396 was passed to engrossment.

HB 2516 ON SECOND READING
(by Chavez)

HB 2516, A bill to be entitled An Act relating to the prosecution and punishment of the offense of disorderly conduct.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Keel, Representative Chavez offered the following committee amendment to **HB 2516**:

Amend **HB 2516**, on page 2, line 26, by striking "(a)(12),".

Amendment No. 1 was adopted without objection.

HB 2516, as amended, was passed to engrossment.

HB 2650 ON SECOND READING
(by Hamric)

HB 2650, A bill to be entitled An Act relating to the application of certain statutes of limitation and statutes relating to the revival or survival of a cause of action to hospital districts.

HB 2650 was passed to engrossment.

CSHB 3151 ON SECOND READING
(by Hilbert)

CSHB 3151, A bill to be entitled An Act relating to optional contracts by certain conservation and reclamation districts to make payments in exchange for a deferral of annexation to cities with a population in excess of 1,600,000 to be used for the supply of treated surface water and providing for alternatives for non-participating districts.

Representative Hilbert moved to postpone consideration of **CSHB 3151** until 2 p.m. Thursday, May 15.

The motion prevailed without objection.

HB 2328 ON SECOND READING
(by S. Turner)

HB 2328, A bill to be entitled An Act relating to an exception to the open meetings law for certain deliberations of the board of a hospital district.

Amendment No. 1 (Committee Amendment No. 1)

Representative S. Turner offered the following committee amendment to **HB 2328**:

Please amend **HB 2328** as follows:

On page 1, line 7, delete "Board of Directors" and replace with "Governing Board."

On page 1, line 9, delete "Board of Directors" and replace with "Governing Board."

On page 1, line 20 and 21, insert previously deleted "before the hospital publicly announces the service or product line."

Amendment No. 1 was adopted without objection.

HB 2328, as amended, was passed to engrossment.

HB 951 ON SECOND READING
(by S. Turner)

HB 951, A bill to be entitled An Act relating to the Texas open records law.

Amendment No. 1 (Committee Amendment No. 1)

Representative S. Turner offered the following committee amendment to **HB 951**:

Amend **HB 951** by adding the following appropriately numbered SECTION to the bill and renumbering existing SECTIONS of the bill appropriately:

SECTION _____. Section 552.301(a), Government Code is amended to read as follows:

(a) A governmental body that receives a written request for information that it wishes to withhold from public disclosure and that it considers to be within one of the exceptions under Subchapter C must ask for a decision from the attorney general about whether the information is within that exception if there has not been previous determination about whether the information falls within one of the exceptions. The governmental body must ask for the attorney general's decision and state the exceptions that apply within a reasonable time but not later than the 10th calendar day after the date of receiving the written request. For purposes of this subchapter, a written request includes a request made in writing that is sent to the governmental body electronically by a means such as electronic mail, other electronic media, or facsimile transmission.

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Hartnett offered the following amendment to **HB 951**:

Amend **HB 951** by adding the following appropriately numbered SECTION to the bill and renumbering existing SECTIONS of the bill appropriately:

SECTION ____ Subchapter F, Chapter 552, Government Code, is amended by adding Section 552.275 to read as follows:

Sec. 552.275. INTERIM CHARGES FOR GEOGRAPHIC INFORMATION SYSTEMS DATA. (a) A municipality may set reasonable charges for providing copies of a geographic information systems (GIS) database. The factors considered in setting the charges may include data collection costs and system operation costs.

(b) This section expires September 1, 1999.

Representative S. Turner moved to table Amendment No. 2.

The motion to table prevailed.

HB 951, as amended, was passed to engrossment.

HB 1055 ON SECOND READING
(by Tillery, et al.)

HB 1055, A bill to be entitled An Act relating to denial of a driver's license to a juvenile for failure to appear in court or pay a fine in connection with a misdemeanor.

HB 1055 was passed to engrossment.

CSHB 1357 ON SECOND READING
(by Giddings)

CSHB 1357, A bill to be entitled An Act relating to the requirement that the operator of a motor vehicle possess a driver's license and evidence of financial responsibility for the vehicle; providing a criminal penalty.

Amendment No. 1

Representatives Corte and Stiles offered the following amendment to **CSHB 1357**:

Amend **CSHB 1357** as follows:

(1) On page 2, strike lines 20-27 and substitute the following:

SECTION 5. Subchapter A, Chapter 601, Transportation Code, is amended by adding Section 601.0085 to read as follows:

Sec. 601.0085. LIABILITY FOR INJURY TO OPERATOR WHO FAILS TO MAINTAIN FINANCIAL RESPONSIBILITY. (a) A person may not obtain noneconomic damages or exemplary damages in a civil action for bodily injury, death, or damage to or destruction of property arising out of a motor vehicle accident if, at the time of the accident, the person:

(1) is the operator of a motor vehicle involved in the accident; and

(2) is operating the motor vehicle in violation of Section 601.051.

(b) Except as provided by Subsection (c), Subsection (a) applies to a claim for damages made by a person whose right to recovery derives from an injury to another person whose right to recovery of noneconomic and exemplary damages would be barred under Subsection (a), including a claim for wrongful death or for loss of consortium or companionship.

(c) This section does not prohibit the recovery of exemplary damages for a wilful act or omission or gross neglect in a wrongful death action brought by or on behalf of a surviving spouse or heirs of the decedent's body under a statute enacted pursuant to Section 26, Article XVI, Texas Constitution. A claim for exemplary damages described by this subsection is governed by Chapter 41, Civil Practice and Remedies Code.

(d) Each insurer that issues a policy of motor vehicle insurance in this state to comply with the requirements of this chapter, including a Lloyd's plan insurer, county mutual insurer, or reciprocal or interinsurance exchange, shall notify the person to whom the policy is issued of the provisions of Subsections (a)-(c). The notice required by this subsection shall be made at the time the policy is initially issued and at any time coverage under the policy is terminated. The commissioner of insurance by rule shall adopt the form and content of the notice required by this subsection.

(e) The department shall post notice of the provisions of Subsections (a)-(c) at each facility of the department at which an in-person application for issuance or renewal of a license may be made.

(f) A person who offers a driving safety course approved by the Texas Education Agency under the Texas Driver and Traffic Safety Education Act (Article 4413(29c), Vernon's Texas Civil Statutes) shall notify each student in writing of the provisions of Subsections (a)-(c). The Texas Education Agency shall adopt the form and content of the notice required by this subsection. At the option of the person who offers the course, the notice may be included in approved course materials or provided separately from those materials.

(g) This section does not apply to a claim brought against a person who, in connection with the accident, committed an act that violates Chapter 49, Penal Code, without regard to whether the person is criminally convicted of that offense.

(h) This section does not prohibit the person described by Subsection (a)(1) from acting in a representative capacity to bring suit on behalf of another person injured in the accident, as next friend or otherwise.

(i) In this section:

(1) "Noneconomic damages" means damages other than compensatory damages for pecuniary loss. The term includes damages for physical pain and mental anguish, loss of consortium, disfigurement, physical impairment, or loss of companionship and society. The term does not include exemplary damages.

(2) "Exemplary damages" has the meaning assigned by Section 41.001, Civil Practice and Remedies Code.

SECTION 6. The commissioner of insurance shall conduct hearings to determine the effects of this Act on automobile liability insurance rates and shall report the findings of the commissioner to the presiding officer of each house of the legislature not later than December 1, 1998.

SECTION 8. (a) This Act takes effect September 1, 1997.

The change in law made by Section 601.0085, Transportation Code, as added by this Act, applies only to a cause of action that accrues on or after September 1, 1997. An action that accrued before the effective date of this Act is governed by the law applicable to the action immediately before the effective date of this Act, and that law is continued in effect for that purpose.

Representative Eiland raised a point of order against further consideration of **CSHB 1357** under Rule 4, Section 18(b) of the House Rules on the grounds that the minutes indicate that Representative Giddings, who is not a member of the committee, was recognized to explain the bill, but her name was not listed on the witness list.

The point of order was withdrawn.

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative G. Lewis offered the following amendment to **CSHB 1357**:

Amend **HB 1357** by inserting the following appropriately numbered sections and by renumbering the subsequent sections of the bill accordingly:

SECTION _____. The following laws are repealed:

- (1) Sections 502.153, 521.143, and 548.105, Transportation Code;
- (2) Sections 601.051, 601.052, and 601.053, Transportation Code; and
- (3) Subchapters G, H, and I, Chapter 601, Transportation Code.

SECTION _____. The heading of Subchapter C, Chapter 601, Transportation Code, is amended to read as follows:

SUBCHAPTER C. EVIDENCE OF FINANCIAL RESPONSIBILITY~~[REQUIREMENTS]~~

SECTION _____. Section 601.293(c), Transportation Code, is amended to read as follows:

(c) If the magistrate determines that there is a reasonable possibility that a judgment will be rendered against the person for bodily injury, death, or property damage sustained in the accident, the magistrate shall order the person to provide:

(1) evidence of financial responsibility for the bodily injury, death, or property damage; or

(2) evidence that the person is exempt from the requirements of this chapter under Section 601.007 ~~[requirement of Section 601.051]~~.

SECTION _____. Section 601.296(a), Transportation Code, is amended to read as follows:

(a) The department shall issue a certificate of release of an impounded motor vehicle to the owner, operator, or person authorized by the owner on submission to the department of:

(1) evidence of financial responsibility ~~[under Section 601.053]~~ that shows that at the time of the accident the vehicle was covered by financial responsibility that meets the requirements of this chapter ~~[in compliance with Section 601.051]~~ or was exempt from the requirements of this chapter under Section 601.007 ~~[requirement of Section 601.051]~~;

(2) a release executed by each person damaged in the accident other than the operator of the vehicle for which the certificate of release is requested; or

(3) security in a form and amount determined by the department to secure the payment of damages for which the operator may be liable.

SECTION _____. Section 729.001(a), Transportation Code, is amended to read as follows:

(a) A person who is at least 14 years of age but younger than 17 years of age commits an offense if the person operates a motor vehicle on a public road or highway, a street or alley in a municipality, or a public beach in violation of any traffic law of this state, including:

(1) Chapter 502, other than Section 502.282, 502.408(b), 502.409(c), or 502.412;

(2) Chapter 521;

(3) Subtitle C;

(4) ~~Chapter 601;~~

~~Chapter 621;~~

~~(5) Chapter 661; and~~

~~(6) Chapter 681.~~

SECTION _____. Sections 157.042(c) and (d), Local Government Code, are amended to read as follows:

(c) A county may elect to comply with the requirements of this section by self-insuring ~~[in accordance with Section 34, Texas Motor Vehicle Safety-Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes)].~~

(d) Liability coverage required under this section must be in amounts equal to or greater than the amounts required by ~~Chapter 601, Transportation Code [the Texas Motor Vehicle Safety-Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes)].~~

SECTION _____. (a) The change in law made by this Act applies only to the punishment for an offense committed on or after the effective date of this Act. For purposes of this section, an offense is committed before the effective date of this Act if any element of the offense occurs before the effective date.

(b) An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose.

SECTION _____. The change in law made by this Act to Sections 601.293 and 601.296, Transportation Code, applies only to the impoundment and release of a motor vehicle that is impounded under Subchapter J, Chapter 601, Transportation Code, on or after the effective date of this Act. The impoundment and release of a motor vehicle that is impounded under Subchapter J, Chapter 601, Transportation Code, before the effective date of this Act is governed by the law as it existed immediately before that date, and that law is continued in effect for that purpose.

SECTION _____. This Act takes effect January 1, 1998.

SECTION _____. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Amendment No. 2 was withdrawn.

Representative Berlanga raised a point of order against further consideration of **CSHB 1357** under Rule 4, Section 32(b)(10) of the House Rules on the grounds that the minutes indicate that Representative Giddings, who is not a member of the committee, was recognized to explain the bill, but her name was not listed on the witness list.

The speaker sustained the point of order.

The bill was returned to the committee on Transportation.

CSHB 1869 ON SECOND READING
(by Burnam)

CSHB 1869, A bill to be entitled An Act relating to cancellation of certain insurance policies.

Amendment No. 1

Representative Burnam offered the following amendment to **CSHB 1869**:

Amend **CSHB 1869**, on page 1, line 12, by deleting the words "or other incident".

Amendment No. 1 was adopted without objection.

CSHB 1869, as amended, failed to pass to engrossment. (The vote was reconsidered on Thursday, May 15, and **CSHB 1869** was amended and tabled by Record 431.)

COMMITTEE GRANTED PERMISSION TO MEET

Representative Stiles requested permission for the Committee on Calendars to meet while the house is in session.

Permission to meet was granted without objection.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 6:45 p.m. today, speakers committee room.

CSHB 3546 ON SECOND READING
(by Zbranek)

CSHB 3546, A bill to be entitled An Act relating to the creation, administration, powers, duties, operation, and financing of the Pine Island Bayou Stormwater Control District; granting the authority to issue bonds.

Representative Zbranek moved to postpone consideration of **CSHB 3546** until 7:30 p.m. Thursday, May 15.

The motion prevailed without objection.

HB 3412 ON SECOND READING
(by Place)

HB 3412, A bill to be entitled An Act relating to the regulation of corporate sureties that write bail bonds.

HB 3412 was passed to engrossment.

SB 1661 ON SECOND READING
(Bosse - House Sponsor)

SB 1661, A bill to be entitled An Act relating to the recovery of certain indirect costs by the Texas Department of Transportation.

SB 1661 was considered in lieu of **HB 2337**.

SB 1661 was passed to third reading.

HB 2337 - LAID ON THE TABLE SUBJECT TO CALL

Representative Bosse moved to lay **HB 2337** on the table subject to call.

The motion prevailed without objection.

SB 993 ON SECOND READING

(Madden - House Sponsor)

SB 993, A bill to be entitled An Act relating to the election of the office of precinct chair of a political party.

SB 993 was considered in lieu of **HB 1400**.

SB 993 was passed to third reading.

HB 1400 - LAID ON THE TABLE SUBJECT TO CALL

Representative Telford moved to lay **HB 1400** on the table subject to call.

The motion prevailed without objection.

HB 1756 ON SECOND READING

(by Telford)

HB 1756, A bill to be entitled An Act relating to the liability of Texas Youth Commission volunteers.

HB 1756 was passed to engrossment.

HB 1507 ON SECOND READING

(by Dutton)

HB 1507, A bill to be entitled An Act relating to limiting the liability of certain persons involved in an issuance of securities by a small business.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Goodman, Representative Dutton offered the following committee amendment to **HB 1507**:

Please Amend **HB 1507** as follows:

On page 1, lines 9, 11 and 18 and on page 2, lines 3 and 4, replace the word "subsection" with "Section 33N"

On page 1, lines 23-24, replace "Paragraph (a) of this subdivision" with "Section 33N(2)(a)"

On page 2, line 3, replace "all actions" with "any action or series of actions under Section 33"

On page 2, lines 7-8, delete "in an action described by this subdivision"

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Dutton offered the following amendment to **HB 1507**:

Amend **HB 1507** as follows:

In SECTION 1 of the bill, in added Section 33N of the Securities Act (Article 581-33, Vernon's Texas Civil Statutes), on page 2 between lines 9 and 10, insert the following:

(4) A small business issuer making an offer of securities shall provide to the prospective buyer a written disclosure of the limitation of liability created by this Section 33N and shall receive a signed acknowledgement that the disclosure was provided.

Amendment No. 2 was adopted without objection.

HB 1507, as amended, was passed to engrossment.

HB 2273 ON SECOND READING
(by Thompson)

HB 2273, A bill to be entitled An Act relating to certain duties of court clerks.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Solis, Representative Thompson offered the following committee amendment to **HB 2273**:

Amend **HB 2273**, Section 3, on page 2, line 27, and page 3, lines 1 through 7, to read as follows:

Sec. 51.604. JURY FEE. (a) The district clerk shall collect a \$30 [\$20] jury fee for each civil case [~~in district court~~] in which a person applies for a jury trial. The clerk of a county court or statutory county court shall collect a \$22 [\$17] jury fee for each civil case [~~in those courts~~] in which a person applies for a jury trial. The clerk shall note the payment of the fee on the court's docket.

Amendment No. 1 was adopted without objection.

Amendment No. 2 (Committee Amendment No. 2)

On behalf of Representative Solis, Representative Thompson offered the following committee amendment to **HB 2273**:

Amend **HB 2273** on page 4 by striking lines 3 through 10 and substituting the following in lieu thereof:

SECTION 5. Section 17.027(e), Civil Practice and Remedies Code, is repealed.

Amendment No. 2 was adopted without objection.

HB 2273, as amended, was passed to engrossment.

CSHB 2981 ON SECOND READING
(by Junell)

CSHB 2981, A bill to be entitled An Act relating to notice to a payee of a change in the payor of oil or gas proceeds.

CSHB 2981 was passed to engrossment.

CSHB 3244 ON SECOND READING
(by Gray)

CSHB 3244, A bill to be entitled An Act relating to the efficient use of services and facilities for adult offenders determined to have alcohol or drug abuse problems.

CSHB 3244 was passed to engrossment.

HB 2383 ON SECOND READING
(by Hochberg)

HB 2383, A bill to be entitled An Act relating to the qualification of a nonprofit charitable or religious organization, school, or youth association for an exemption from ad valorem taxation.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Craddick, Representative Hochberg offered the following committee amendment to **HB 2383**:

Amend **HB 2383** as follows:

- (1) On page 6, line 2, strike "30th" and substitute "60th".
- (2) On page 6, line 19, strike "30th" and substitute "60th".
- (3) On page 7, line 12, strike "30th" and substitute "60th".
- (4) On page 8, line 21, strike "30th" and substitute "60th".
- (5) On page 9, line 12, strike "30th" and substitute "60th".

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Greenberg offered the following amendment to **HB 2383**:

Amend **HB 2383** by adding the following appropriately numbered section and renumbering the remaining sections of the bill accordingly:

SECTION _____. Section 11.434(d), Tax Code, is amended to read as follows:

(d) An application may not be filed under this section after December 31, 1997 [~~1992~~].

Amendment No. 2 was adopted without objection.

Amendment No. 3

Representative Hilderbran offered the following amendment to **HB 2383**:

Amend **HB 2383** by adding the following appropriately numbered section and renumbering the subsequent sections appropriately:

SECTION _____. Section 23.55(j), Tax Code, as added by Chapter 471, Acts of the 74th Legislature, Regular Session, 1995, applies to a change of use of land:

- (1) on or after June 12, 1995; or
- (2) before June 12, 1995, if:
 - (A) the change of use occurred on or after June 12, 1990; and
 - (B) on June 12, 1995, the owner of the land had not been

determined to be liable for the sanctions provided by Section 23.55(a), Tax Code, by a final and nonappealable order or judgment.

Amendment No. 3 was adopted without objection.

HB 2383, as amended, was passed to engrossment.

CSHB 2435 ON SECOND READING
(by Keel)

CSHB 2435, A bill to be entitled An Act relating to the offense of money laundering.

CSHB 2435 was passed to engrossment.

HCR 263 - ADOPTED
(by Wilson)

Representative Wilson moved to suspend all necessary rules to take up and consider at this time **HCR 263**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HCR 263, Honoring ZZ Top and declaring May 15, 1997, ZZ Top Day in Texas.

HCR 263 was adopted without objection.

HCR 258 - ADOPTED
(by Williams)

Representative Williams moved to suspend all necessary rules to take up and consider at this time **HCR 258**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HCR 258, In memory of Meghan Christine Manning.

HCR 258 was unanimously adopted by a rising vote.

RULES SUSPENDED

Representative Berlanga moved to suspend the 5-day posting rule to allow the Committee on Public Health to consider **SB 276** and **SB 1309**.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Corrections, on adjournment today.

Business and Industry, on adjournment today.

Insurance, on adjournment today, Desk 24, to consider **SB 258**.

Land and Resource Management, on adjournment today, Desk 112.

ADJOURNMENT

Representative D. Jones moved that the house adjourn until 10 a.m. tomorrow in memory of Meghan Christine Manning.

The motion prevailed without objection.

The house accordingly, at 7:04 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HCR 245 (by Counts), Designating Knox City as the Seedless Watermelon Capitol of Texas.

To Rules & Resolutions

HCR 252 (by Hinojosa), Creating a joint interim committee to study the need for environmental education as a component of the public school K-12 curriculum.

To House Administration.

SB 1155 to Insurance.

SB 1328 to Pensions & Investments.

SB 1396 to State Affairs.

SB 1446 to Insurance.

SB 1491 to Economic Development.

SB 1565 to Insurance.

SB 1774 to Public Health.

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

House List No. 55

HB 255, HB 358, HB 404, HB 515, HB 717, HB 722, HB 729, HB 749, HB 880, HB 975, HB 1077, HB 1126, HB 1137, HB 1154, HB 1155, HB 1178, HB 1180, HB 1242, HB 1298, HB 1367, HB 1531, HB 1638, HB 1651, HB 1724, HB 1795, HB 1798, HB 1878, HB 1879, HB 1916, HB 2073, HB 2075, HB 2116, HB 2138, HB 2259, HB 2286, HB 2492, HB 2769, HB 2812, HB 2847, HB 2945, HB 3231, HCR 208

Senate List No. 25

SB 145, SB 358, SB 728, SB 1233, SB 1268, SB 1269, SB 1295, SB 1352, SB 1437, SB 1519, SB 1722, SB 1736, SB 1828, SB 1903, SB 1924, SCR 14, SCR 42, SCR 55, SCR 69

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1**MESSAGE FROM THE SENATE****SENATE CHAMBER**

Austin, Texas

Wednesday, May 14, 1997

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 906 McCall SPONSOR: Duncan
Relating to approval by a lienholder required for payment of an insurance claim; providing a civil penalty.
(AMENDED)

HB 1112 Hawley SPONSOR: Duncan
Relating to certain hearings concerning the revocation of the release status of persons under the supervision of the pardons and paroles division of the Texas Department of Criminal Justice and the housing of those persons pending the hearings.
(AMENDED)

HB 1550 Goodman SPONSOR: Harris
Relating to the juvenile justice system.
(AMENDED)

HB 1808 Counts SPONSOR: Bivins
Relating to the confidentiality of certain information obtained by the State Soil and Water Conservation Board or a soil and water conservation district.

HB 2832 Gallego SPONSOR: Madla
Relating to the authority of certain counties to impose a county hotel occupancy tax.

HB 3043 Gallego SPONSOR: Madla
Relating to the authority of certain counties to impose a hotel occupancy tax.

HB 3354 Dukes SPONSOR: Armbrister
Relating to the operation of the Texas Workers' Compensation Insurance Fund.

THE SENATE HAS CONCURRED IN HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

SB 973 (viva-voce vote)

SB 1033 (30 YEAS, 0 NAYS)

THE SENATE HAS GRANTED THE REQUEST OF THE HOUSE FOR THE APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING MEASURES:

HB 1975

Senate Conferees: Sibley - Chair/Carona/Harris/Lucio/Madla/

HB 2692

Senate Conferees: Carona - Chair/Cain/Lucio/Shapiro/West, Royce/

THE SENATE HAS DISCHARGED ITS CONFEREES AND APPOINTED NEW CONFEREES ON THE FOLLOWING MEASURES:

SB 606

Senate Conferees: Lucio - Chair/Madla/Sibley/Truan/Zaffirini/

Respectfully,

Betty King
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Wednesday, May 14, 1997 - 2

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 2542 Kuempel SPONSOR: Brown
Relating to the regulation of parks and wildlife; providing penalties.
(COMMITTEE SUBSTITUTE/AMENDED)

SB 679 Lindsay
Relating to the use of a portion of the sales and use tax revenue collected by certain metropolitan rapid transit authorities for county and municipal road and bridge purposes.

SB 1560 Wentworth
Relating to the appointment of citizens by a political subdivision to assist in the enforcement of the Texas Litter Abatement Act.

SB 1840 Harris

Relating to prohibiting certain prosecuting attorneys from running for an elected judicial office.

SCR 91 Barrientos

Commending Pamela W. Reese for her service to Alpha Delta Pi Sorority at the University of Texas at Austin.

Respectfully,

Betty King
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 13

Business & Industry - **SB 320, SB 573, SB 777, SB 885, SB 1581, SB 1678, SB 1837**

County Affairs - **HB 2736, HB 3610, SB 660, SB 1623**

Energy Resources - **SB 1354**

Human Services - **SB 57, SB 58, SB 60**

Judicial Affairs - **SB 1417**

Juvenile Justice & Family Issues - **SB 11, SB 1936**

Licensing & Administrative Procedures - **HB 1922, SB 332, SB 337**

Natural Resources - **SB 921, SB 1406**

Pensions & Investments - **SB 1102**

Public Health - **SB 361, SB 913, SB 1081**

State Affairs - **SB 1937**

State, Federal & International Relations - **HCR 214, SB 1041**

Transportation - **SB 745, SB 1704, SB 1849**

Ways & Means - **HB 2680, SB 988, SB 1015**

ENGROSSED

May 13 - **HB 399, HB 1043, HB 1653, HB 1662, HB 2233, HB 2385, HB 2733, HB 2768, HB 2856, HB 2915, HB 2993, HB 3092, HB 3225, HB 3375, HB 3597, HB 3603**

ENROLLED

May 13 - **HB 120, HB 239, HB 255, HB 259, HB 358, HB 394, HB 404,**

HB 412, HB 432, HB 515, HB 717, HB 729, HB 749, HB 806, HB 880, HB 885, HB 905, HB 911, HB 950, HB 956, HB 971, HB 975, HB 1077, HB 1126, HB 1137, HB 1154, HB 1155, HB 1178, HB 1185, HB 1242, HB 1298, HB 1299, HB 1367, HB 1511, HB 1531, HB 1555, HB 1651, HB 1724, HB 1795, HB 1798, HB 1878, HB 1879, HB 1916, HB 2003, HB 2073, HB 2075, HB 2116, HB 2138, HB 2170, HB 2259, HB 2286, HB 2492, HB 2528, HB 2569, HB 2602, HB 2721, HB 2769, HB 2812, HB 2847, HB 2945, HB 3231, HB 3334, HCR 208, HCR 247

SENT TO THE GOVERNOR

May 13 - **HB 120, HB 239, HB 259, HB 394, HB 412, HB 432, HB 806, HB 885, HB 911, HB 950, HB 956, HB 971, HB 1185, HB 1299, HB 1511, HB 1555, HB 2003, HB 2170, HB 2528, HB 2569, HB 2602, HB 2721, HB 3334, HCR 247**

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